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AND
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Issued October 31, 1914.

U. S. DEPARTMENT OF AGRICULTURE,
OFFICE OF EXPERIMENT STATIONS.

A. C. TRUE, DIRECTOR.

FEDERAL LEGISLATION, REGULATIONS, AND RUL- INGS AFFECTING AGRICULTURAL COLLEGES AND EXPERIMENT STATIONS.

[Revised to July 1, 1914.]

ACT OF 1862 DONATING LANDS FOR AGRICULTURAL COLLEGES.

[First Morrill Act.]

AN ACT Donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be granted to the several States, for the purposes hereinafter mentioned, an amount of public land, to be apportioned to each State a quantity equal to thirty thousand acres for each Senator and Representative in Congress to which the States are respectively entitled by the apportionment under the census of eighteen hundred and sixty: *Provided,* That no mineral lands shall be selected or purchased under the provisions of this act.

SEC. 2. *And be it further enacted*, That the land aforesaid, after being surveyed, shall be apportioned to the several States in sections or subdivisions of sections, not less than one-quarter of a section; and whenever there are public lands in a State subject to sale at private entry at one dollar and twenty-five cents per acre, the quantity to which said State shall be entitled shall be selected from such lands within the limits of such State, and the Secretary of the Interior is hereby directed to issue to each of the States in which there is not the quantity of public lands subject to sale at private entry at one dollar and twenty-five cents per acre to which said State may be entitled under the provisions of this act land scrip to the amount in acres for the deficiency of its distributive share; said scrip to be sold by said States and the proceeds thereof applied to the uses and purposes prescribed in this act and for no other use or purpose whatsoever: *Provided*, That in no case shall any State to which land scrip may thus be issued be allowed to locate the same within the limits of any other State or of any Territory of the United States, but their assignees may thus locate said land scrip upon any of the unappropriated lands of the United States subject to sale at private entry at one dollar and twenty-five cents, or less, per acre: *And provided further*, That not more than one million acres shall be located by such assignees in any one of the States: *And provided further*, That no such location shall be made before one year from the passage of this act.

SEC. 3. *And be it further enacted*, That all the expenses of management, superintendence, and taxes from date of selection of said lands, previous to their sales, and all expenses incurred in the management and disbursement of the moneys which may be received therefrom, shall be paid by the States to which they may belong, out of the treasury of said States, so that the entire proceeds of the sale of said lands shall be applied without any diminution whatever to the purposes hereinafter mentioned.

SEC. 4 (original). *And be it further enacted*, That all moneys derived from the sale of the lands aforesaid by the States to which the lands are apportioned, and from the sales of land scrip hereinbefore provided for, shall be invested in stocks of the United States or of the States, or some other safe stocks, yielding not less than five per centum upon the par value of said stocks: and that the moneys so invested shall constitute a perpetual fund, the capital of which shall remain forever undiminished (except so far as may be provided in section five of this act), and the interest of which shall be inviolably appropriated by each State which may take and claim the benefit of this act, to the endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

SEC. 4 (as amended Mar. 3, 1883). That all moneys derived from the sale of lands aforesaid by the States to which lands are apportioned, and from the sales of land scrip hereinbefore provided for, shall be invested in stocks of the United States or of the States, or some other safe stocks; or the same may be invested by the States having no State stocks in any other manner after the legislatures of such States shall have assented thereto, and engaged that such funds shall yield not less than five per centum upon the amount so invested and that the principal thereof shall forever remain unimpaired: *Provided*, That the moneys so invested or loaned shall constitute a perpetual fund, the capital of which shall remain forever undiminished (except so far as may be provided in section five of this act), and the interest of which shall be inviolably appropriated, by each State which may take and claim the benefit of this act, to the endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

SEC. 5. *And be it further enacted*, That the grant of land and land scrip hereby authorized shall be made on the following conditions, to which, as well as to the provisions hereinbefore contained, the previous assent of the several States shall be signified by legislative acts:

First. If any portion of the fund invested, as provided by the foregoing section, or any portion of the interest thereon, shall, by any action or contingency, be diminished or lost, it shall be replaced by the State to which it belongs, so that the capital of the fund shall remain forever undiminished; and the annual interest shall be regularly applied without diminution to the purposes mentioned in the fourth section of this act, except that a sum, not exceeding ten per centum upon the amount received by any State under the provisions of this act, may be expended for the purchase of lands for sites or experimental farms whenever authorized by the respective legislatures of said States.

Second. No portion of said fund, nor the interest thereon, shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings.

Third. Any State which may take and claim the benefit of the provisions of this act shall provide, within five years, at least not less than one college, as described in the fourth section of this act, or the grant to such State shall cease; and said State shall be bound to pay the United States the amount received of any lands previously sold and that the title to purchasers under the State shall be valid.

Fourth. An annual report shall be made regarding the progress of each college, recording any improvements and experiments made, with their cost and results, and such other matters, including State industrial and economical statistics, as may be supposed useful, one copy of which shall be transmitted by mail free, by each, to all the other colleges which may be endowed under the provisions of this act, and also one copy to the Secretary of the Interior.

Fifth. When lands shall be selected from those which have been raised to double the minimum price, in consequence of railroad grants, they shall be computed to the States at the maximum price and the number of acres proportionately diminished.

Sixth. No State while in a condition of rebellion or insurrection against the Government of the United States shall be entitled to the benefit of this act.

Seventh. No State shall be entitled to the benefits of this act unless it shall express its acceptance thereof by its legislature within two years from the date of its approval by the President.

SEC. 6. *And be it further enacted*, That land scrip issued under the provisions of this act shall not be subject to location until after the first day of January, one thousand eight hundred and sixty-three.

SEC. 7. *And be it further enacted*, That the land officers shall receive the same fees for locating land scrip issued under the provisions of this act as is now allowed for the location of military bounty land warrants under existing laws: *Provided*, That their maximum compensation shall not be thereby increased.

SEC. 8. *And be it further enacted*, That the governors of the several States to which scrip shall be issued under this act shall be required to report annually to Congress all sales made of such scrip until the whole shall be disposed of, the amount received for the same, and what appropriation has been made of the proceeds.

Approved, July 2, 1862 (12 Stat. L., 503).

ACT OF 1866 EXTENDING THE TIME WITHIN WHICH AGRICULTURAL COLLEGES MAY BE ESTABLISHED.

AN ACT To amend the fifth section of an act entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2, 1862, so as to extend the time within which the provisions of said act shall be accepted and such colleges established.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time in which the several States may comply with the provisions of the act of July second, eighteen hundred and sixty-two, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," is hereby extended so that the acceptance of the benefits of the said act may be expressed within three years from the passage of this act, and the colleges required by the said act may be provided within five years from the date of the filing of such acceptance with the Commissioner of the General Land Office: *Provided*, That when any Territory shall become a State and be admitted into the Union such new States shall be entitled to the benefits of the said act of July second, eighteen hundred and sixty-two, by expressing the acceptance therein required within three years from the date of its admission into the Union, and providing the college or colleges within five years after such acceptance, as prescribed in this act: *Provided further*, That any State which has heretofore expressed its acceptance of the act herein referred to shall have the period of five years within which to provide at least one college, as described in the fourth section of said act, after the time for providing said college, according to the act of July second, eighteen hundred and sixty-two, shall have expired.

Approved, July 23, 1866 (14 Stat. L., 208).

U. S. G. O.

1866

ACT OF 1890 FOR THE FURTHER ENDOWMENT OF AGRICULTURAL COLLEGES.

[Second Morrill Act.]

AN ACT To apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July second, eighteen hundred and sixty-two.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, arising from the sales of public lands, to be paid as hereinafter provided, to each State and Territory for the more complete endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts now established, or which may be hereafter established, in accordance with an act of Congress approved July second, eighteen hundred and sixty-two, the sum of fifteen thousand dollars for the year ending June thirtieth, eighteen hundred and ninety, and an annual increase of the amount of such appropriation thereafter for ten years by an additional sum of one thousand dollars over the preceding year, and the annual amount to be paid thereafter to each State and Territory shall be twenty-five thousand dollars, to be applied only to instruction in agriculture, the mechanic arts, the English language, and the various branches of mathematical, physical, natural, and economic science, with special reference to their applications in the industries of life and to the facilities for such instruction: *Provided*, That no money shall be paid out under this act to any State or Territory for the support and maintenance of a college where a distinction of race or color is made in the admission of students, but the establishment and maintenance of such colleges separately for white and colored students shall be held to be a compliance with the provisions of this act if the funds received in such State or Territory be equitably divided as hereinafter set forth: *Provided*, That in any State in which there has been one college established in pursuance of the act of July second, eighteen hundred and sixty-two, and also in which an educational institution of like character has been established, or may be hereafter established, and is now aided by such State from its own revenue, for the education of colored students in agriculture and the mechanic arts, however named or styled, or whether or not it has received money heretofore under the act to which this act is an amendment, the legislature of such State may propose and report to the Secretary of the Interior a just and equitable division of the fund to be received under this act, between one college for white students and one institution for colored students, established as aforesaid, which shall be divided into two parts, and paid accordingly, and thereupon such institution for colored students shall be entitled to the benefits of this act and subject to its provisions, as much as it would have been if it had been included under the act of eighteen hundred and sixty-two, and the fulfillment of the foregoing provisions shall be taken as a compliance with the provision in reference to separate colleges for white and colored students.

SEC. 2. That the sums hereby appropriated to the States and Territories for the further endowment and support of colleges shall be annually paid on or before the thirty-first day of July of each year, by the Secretary of the Treasury, upon the warrant of the Secretary of the Interior, out of the Treasury of the United States, to the State or Territorial treasurer, or to such officer as shall be designated by the laws of such State or Territory to receive the same, who shall, upon the order of the trustees of the college or the institution for colored students, immediately pay over said sums to the treasurers of the respective colleges or other institutions entitled to receive the same, and such treasurers shall be required to report to the Secretary of Agriculture and to the Secretary of the Interior on or before the first day of September of each year a detailed statement of the amount so received and of its disbursement

The grants of moneys authorized by this act are made subject to the legislative assent of the several States and Territories to the purpose of said grants: *Provided*, That payments of such installments of the appropriation herein made as shall become due to any State before the adjournment of the regular session of legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof, duly certified to the Secretary of the Treasury.

SEC. 3. That if any portion of the moneys received by the designated officer of the State or Territory for the further and more complete endowment, support, and maintenance of colleges, or of institutions for colored students, as provided in this act, shall, by any action or contingency, be dismissed or lost, or be misapplied, it shall be replaced by the State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory; and no portion of said moneys shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings. An annual report by the president of each of said colleges shall be made to the Secretary of Agriculture, as well as to the Secretary of the Interior, regarding the condition and progress of each college, including statistical information in relation to its receipts and expenditures, its library, the number of its students and professors, and also as to any improvements and experiments made under the direction of any experiment stations attached to said colleges, with their cost and results and such other industrial and economical statistics as may be regarded as useful, one copy of which shall be transmitted by mail free to all other colleges further endowed under this act.

SEC. 4. That on or before the first day of July in each year, after the passage of this act, the Secretary of the Interior shall ascertain and certify to the Secretary of the Treasury as to each State and Territory, whether it is entitled to receive its share of the annual appropriation for colleges, or of institutions for colored students, under this act and the amount which thereupon each is entitled, respectively, to receive. If the Secretary of the Interior shall withhold a certificate from any State or Territory of its appropriation, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the close of the next Congress, in order that the State or Territory may, if it should so desire, appeal to Congress from the determination of the Secretary of the Interior. If the next Congress shall not direct such sum to be paid it shall be covered into the Treasury. And the Secretary of the Interior is hereby charged with the proper administration of this law.

SEC. 5. That the Secretary of the Interior shall annually report to Congress the disbursements which have been made in all the States and Territories, and also whether the appropriation of any State or Territory has been withheld, and, if so, the reasons therefor.

SEC. 6. Congress may at any time amend, suspend, or repeal any or all of the provisions of this act.

Approved, August 30, 1890 (26 Stat. L., 417).

**CLAUSE IN ACT MAKING APPROPRIATIONS FOR THE UNITED STATES
DEPARTMENT OF AGRICULTURE FOR THE FISCAL YEAR ENDING
JUNE 30, 1908, FOR THE FURTHER ENDOWMENT OF AGRICUL-
TURAL COLLEGES.**

[Nelson amendment.]

* * * That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, to be paid as hereinafter provided, to each State and Territory for the more complete endowment and maintenance of agricultural colleges now established, or which may hereafter be established, in accordance with the act of Congress approved July second, eighteen hundred and

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sixty-two, and the act of Congress approved August thirtieth, eighteen hundred and ninety, the sum of five thousand dollars, in addition to the sums named in the said act, for the fiscal year ending June thirtieth, nineteen hundred and eight, and an annual increase of the amount of such appropriation thereafter for four years by an additional sum of five thousand dollars over the preceding year, and the annual sum to be paid thereafter to each State and Territory shall be fifty thousand dollars, to be applied only for the purposes of the agricultural colleges as defined and limited in the act of Congress approved July second, eighteen hundred and sixty-two, and the act of Congress approved August thirtieth, eighteen hundred and ninety.

That the sum hereby appropriated to the States and Territories for the further endowment and support of the colleges shall be paid by, to, and in the manner prescribed by the act of Congress approved August thirtieth, eighteen hundred and ninety, entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July second, eighteen hundred and sixty-two," and the expenditure of the said money shall be governed in all respects by the provisions of the said act of Congress approved July second, eighteen hundred and sixty-two, and the said act of Congress approved August thirtieth, eighteen hundred and ninety: *Provided*, That said colleges may use a portion of this money for providing courses for the special preparation of instructors for teaching the elements of agriculture and the mechanic arts.

Approved, March 4, 1907 (34 Stat. L., 1256, 1281).

ACTS OF 1888 AND 1891 PROVIDING FOR DETAIL OF UNITED STATES ARMY AND NAVY OFFICERS TO THE LAND-GRANT COLLEGES.

[Act of 1888.]

AN ACT To amend section twelve hundred and twenty-five of the Revised Statutes, concerning details of officers of the Army and Navy to educational institutions, and so forth.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section twelve hundred and twenty-five of the Revised Statutes of the United States, as amended by an act of Congress approved July fifth, eighteen hundred and eighty-four, be, and the same is hereby, further amended, so as to read as follows:

"SEC. 1225. The President may, upon the application of any established military institute, seminary or academy, college or university, within the United States having capacity to educate at the same time not less than one hundred and fifty male students, detail an officer of the Army or Navy to act as superintendent or professor thereof; but the number of officers so detailed shall not exceed fifty from the Army and ten from the Navy, being a maximum of sixty, at any time, and they shall be apportioned throughout the United States, first, to those State institutions applying for such detail that are required to provide instruction in military tactics under the provisions of the act of Congress of July second, eighteen hundred and sixty-two, donating lands for the establishment of colleges where the leading object shall be the practical instruction of the industrial classes in agriculture and the mechanic arts, including military tactics; and after that, said details to be distributed, as nearly as may be practicable, according to population. The Secretary of War is authorized to issue, at his discretion and under proper regulations to be prescribed by him, out of ordnance and ordnance stores belonging to the Government, and which can be spared for that purpose, such number of the same as may appear to be required for military instruction and practice by the students of any college or university under the provisions of this section, and the Secretary shall require a bond in each case, in double

the value of the property, for the care and safe-keeping thereof and for the return of the same when required: *Provided*, That nothing in this act shall be so construed as to prevent the detail of officers of the Engineer Corps of the Navy as professors in scientific schools or colleges as now provided by act of Congress approved February twenty-sixth, eighteen hundred and seventy-nine, entitled 'An act to promote a knowledge of steam engineering and iron-ship building among the students of scientific schools or colleges in the United States'; and the Secretary of War is hereby authorized to issue ordnance and ordnance stores belonging to the Government on the terms and conditions hereinbefore provided to any college or university at which a retired officer of the Army may be assigned as provided by section twelve hundred and sixty of the Revised Statutes.

"SEC. 2. That the said section twelve hundred and twenty-five of the Revised Statutes of the United States, as amended by the said act of Congress approved July fifth, eighteen hundred and eighty-four, and all acts and parts of acts inconsistent or in conflict with the provisions of this act be, and the same are hereby, repealed, saving always, however, all acts and things done under the said amended section as heretofore existing."

Approved, September 26, 1888 (25 Stat. L., 491).

[Act of 1891.]

AN ACT To amend section twelve hundred and twenty-five of the Revised Statutes, concerning details of officers of the Army and Navy to educational institutions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section twelve hundred and twenty-five of the Revised Statutes, concerning details of officers of the Army and Navy to educational institutions, be, and the same is hereby, amended so as to permit the President to detail under the provisions of said act, not to exceed seventy-five officers of the Army of the United States; and the maximum number of officers of the Army and Navy to be detailed at any one time under the provisions of the act passed September twenty-sixth, eighteen hundred and eighty-eight, amending said section twelve hundred and twenty-five of the Revised Statutes, is hereby increased to eighty-five: *Provided*, That no officer shall be detailed to or maintained at any of the educational institutions mentioned in said act where instruction and drill in military tactics is not given: *Provided further*, That nothing in this act shall be so construed as to prevent the detail of officers of the Engineer Corps of the Navy as professors in scientific schools or colleges as now provided by act of Congress approved February twenty-sixth, eighteen hundred and seventy-nine, entitled "An act to promote a knowledge of steam engineering and iron-ship building among the students of scientific schools or colleges in the United States."

Approved, January 13, 1891 (26 Stat. L., 716).

EXTRACT FROM ACT OF 1914 PERMITTING SALES BY THE SUPPLY DEPARTMENTS OF THE ARMY TO CERTAIN MILITARY SCHOOLS AND COLLEGES.

Under such regulations as the Secretary of War may prescribe, educational institutions to which an officer of the Army is detailed as professor of military science and tactics may purchase from the War Department for cash, for the use of their military students, such stores, supplies, matériel of war, and military publications as are furnished to the Army, such sales to be at the price listed to the Army, with the cost of transportation added.

Approved, July 17, 1914.

CLAUSE IN ACT PROVIDING FOR THE PRINTING, BINDING, AND DISTRIBUTION OF PUBLIC DOCUMENTS CONSTITUTING THE LAND-GRANT COLLEGES DEPOSITORIES.

“All land-grant colleges shall be constituted as depositories for public documents, subject to the provisions and limitations of the depository laws.”

Approved, March 1, 1907.

ACT OF 1887 ESTABLISHING AGRICULTURAL EXPERIMENT STATIONS.

[Hatch Act.]

AN ACT To establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to aid in acquiring and diffusing among the people of the United States useful and practical information on subjects connected with agriculture, and to promote scientific investigation and experiment respecting the principles and applications of agricultural science, there shall be established under direction of the college or colleges or agricultural department of colleges in each State or Territory established, or which may hereafter be established, in accordance with the provisions of an act approved July second, eighteen hundred and sixty-two, entitled “An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts,” or any of the supplements to said act, a department to be known and designated as an “agricultural experiment station”: *Provided*, That in any State or Territory in which two such colleges have been or may be so established the appropriation hereinafter made to such State or Territory shall be equally divided between such colleges, unless the legislature of such State or Territory shall otherwise direct.

SEC. 2. That it shall be the object and duty of said experiment stations to conduct original researches or verify experiments on the physiology of plants and animals; the diseases to which they are severally subject, with the remedies of the same; the chemical composition of useful plants at their different stages of growth; the comparative advantages of rotative cropping as pursued under the varying series of crops; the capacity of new plants or trees for acclimation; the analysis of soils and water; the chemical composition of manures, natural or artificial, with experiments designed to test the comparative effects on crops of different kinds; the adaptation and value of grasses and forage plants; the composition and digestibility of the different kinds of food for domestic animals; the scientific and economic questions involved in the production of butter and cheese; and such other researches or experiments bearing directly on the agricultural industry of the United States as may in each case be deemed advisable, having due regard to the varying conditions and needs of the respective States or Territories.

SEC. 3. That in order to secure, as far as practicable, uniformity of methods and results in the work of said stations, it shall be the duty of the United States Commissioner [now Secretary] of Agriculture to furnish forms, as far as practicable, for the tabulation of results of investigation or experiments; to indicate from time to time such lines of inquiry as to him shall seem most important, and, in general, to furnish such advice and assistance as will best promote the purpose of this act. It shall be the duty of each of said stations annually, on or before the first of February, to make to the governor of the State or Territory in which it is located a full and detailed report of its operations, including a statement of receipts and expenditures, a copy of which report shall be sent to each of said stations, to the said Commissioner [now Secretary] of Agriculture, and to the Secretary of the Treasury of the United States.

SEC. 4. That bulletins or reports of progress shall be published at said stations at least once in three months, one copy of which shall be sent to each newspaper in the States or Territories in which they are respectively located, and to such individuals actually engaged in farming as may request the same and as far as the means of the station will permit. Such bulletins or reports and the annual reports of said stations shall be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General may from time to time prescribe.

SEC. 5. That for the purpose of paying the necessary expenses of conducting investigations and experiments and printing and distributing the results as hereinbefore prescribed, the sum of fifteen thousand dollars per annum is hereby appropriated to each State, to be specially provided for by Congress in the appropriations from year to year, and to each Territory entitled under the provisions of section eight of this act, out of any money in the Treasury proceeding from the sales of public lands, to be paid in equal quarterly payments on the first day of January, April, July, and October in each year, to the treasurer or other officer duly appointed by the governing boards of said colleges to receive the same, the first payment to be made on the first day of October, eighteen hundred and eighty-seven: *Provided, however,* That out of the first annual appropriation so received by any station an amount not exceeding one-fifth may be expended in the erection, enlargement, or repair of a building or buildings necessary for carrying on the work of such station; and thereafter an amount not exceeding five per centum of such annual appropriation may be so expended.

SEC. 6. That whenever it shall appear to the Secretary of the Treasury from the annual statement of receipts and expenditures of any of said stations that a portion of the preceding annual appropriation remains unexpended, such amount shall be deducted from the next succeeding annual appropriation to such station, in order that the amount of money appropriated to any station shall not exceed the amount actually and necessarily required for its maintenance and support.

SEC. 7. That nothing in this act shall be construed to impair or modify the legal relation existing between any of the said colleges and the government of the States or Territories in which they are respectively located.

SEC. 8. That in States having colleges entitled under this section to the benefits of this act and having also agricultural experiment stations established by law separate from said colleges, such States shall be authorized to apply such benefits to experiments at stations so established by such States; and in case any State shall have established, under the provisions of said act of July second aforesaid, an agricultural department or experimental station in connection with any university, college, or institution not distinctly an agricultural college or school, and such State shall have established or shall hereafter establish a separate agricultural college or school, which shall have connected therewith an experimental farm or station, the legislature of such State may apply in whole or in part the appropriation by this act made to such separate agricultural college or school, and no legislature shall by contract, express or implied, disable itself from so doing.

SEC. 9. That the grants of moneys authorized by this act are made subject to the legislative assent of the several States and Territories to the purposes of said grants: *Provided,* That payment of such installments of the appropriation herein made as shall become due to any State before the adjournment of the regular session of its legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof duly certified to the Secretary of the Treasury.

SEC. 10. Nothing in this act shall be held or construed as binding the United States to continue any payments from the Treasury to any or all the States or institutions mentioned in this act, but Congress may at any time amend, suspend, or repeal any or all the provisions of this act.

Approved, March 2, 1887 (24 Stat. L., 440).

ACT OF 1888 AMENDING (HATCH) ACT OF 1887.

AN ACT To amend an act entitled "An act to establish agricultural stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and the acts supplementary thereto."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grant of money authorized by the act of Congress entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of acts supplementary thereto," are subject as therein provided to the legislative assent of the States or Territories to be affected thereby; but as to such installments of the appropriations as may be now due or may hereafter become due, when the legislature may not be in session, the governor of said State or Territory may make the assent therein provided, and upon a duly certified copy thereof to the Secretary of the Treasury he shall cause the same to be paid in the manner provided in the act of which this is amendatory, until the termination of the next regular session of the legislature of such State or Territory.

Approved, June 7, 1888 (25 Stat. L., 176).

PROVISO IN ACT MAKING APPROPRIATIONS FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE FISCAL YEAR ENDING JUNE 30, 1890, FURTHER DEFINING WORK OF STATIONS ESTABLISHED UNDER ACT OF MARCH 2, 1887 (HATCH ACT).

That, as far as practicable, all such stations shall devote a portion of their work to the examination and classification of soils of their respective States and Territories, with a view to securing more extended knowledge and better development of their agricultural capabilities.

Approved, March 2, 1889 (25 Stat. L., 841).

ACT OF 1906 FOR THE FURTHER ENDOWMENT OF AGRICULTURAL EXPERIMENT STATIONS.

[Adams Act.]

AN ACT To provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, to be paid as hereinafter provided, to each State and Territory, for the more complete endowment and maintenance of agricultural experiment stations now established or which may hereafter be established in accordance with the act of Congress approved March second, eighteen hundred and eighty-seven, the sum of five thousand dollars in addition to the sum named in said act for the year ending June thirtieth, nineteen hundred and six, and an annual increase of the amount of such appropriation thereafter for five years by an additional sum of two thousand dollars over the preceding year, and the annual amount to be paid thereafter to each State or Territory shall be thirty thousand dollars, to be applied only to paying the necessary expenses of conducting original researches or experiments bearing directly on the agricultural industry of the United States, having due regard to the varying conditions and needs of the respective States or Territories.

SEC. 2. That the sums hereby appropriated to the States and Territories for the further endowment and support of agricultural experiment stations shall be annually

paid in equal quarterly payments on the first day of January, April, July, and October of each year by the Secretary of the Treasury, upon the warrant of the Secretary of Agriculture, out of the Treasury of the United States, to the treasurer or other officer duly appointed by the governing boards of said experiment stations to receive the same, and such officers shall be required to report to the Secretary of Agriculture on or before the first day of September of each year a detailed statement of the amount so received and of its disbursement, on schedules prescribed by the Secretary of Agriculture. The grants of money authorized by this act are made subject to legislative assent of the several States and Territories to the purpose of said grants: *Provided*, That payment of such installments of the appropriation herein made as shall become due to any State or Territory before the adjournment of the regular session of legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof, duly certified by the Secretary of the Treasury.

SEC. 3. That if any portion of the moneys received by the designated officer of any State or Territory for the the further and more complete endowment, support, and maintenance of agricultural experiment stations as provided in this act shall by any action or contingency be diminished or lost or be misapplied, it shall be replaced by said State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory; and no portion of said moneys exceeding five per centum of each annual appropriation shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings, or to the purchase or rental of land. It shall be the duty of each of said stations annually, on or before the first day of February, to make to the governor of the State or Territory in which it is located a full and detailed report of its operations, including a statement of receipts and expenditures, a copy of which report shall be sent to each of said stations, to the Secretary of Agriculture, and to the Secretary of the Treasury of the United States.

SEC. 4. That on or before the first day of July in each year after the passage of this act the Secretary of Agriculture shall ascertain and certify to the Secretary of the Treasury as to each State and Territory whether it is complying with the provisions of this act and is entitled to receive its share of the annual appropriation for agricultural experiment stations under this act and the amount which thereupon each is entitled, respectively, to receive. If the Secretary of Agriculture shall withhold a certificate from any State or Territory of its appropriation, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the close of the next Congress, in order that the State or Territory may, if it shall so desire, appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury; and the Secretary of Agriculture is hereby charged with the proper administration of this law.

SEC. 5. That the Secretary of Agriculture shall make an annual report to Congress on the receipts and expenditures and work of the agricultural experiment stations in all of the States and Territories, and also whether the appropriation of any State or Territory has been withheld, and if so, the reason therefor.

SEC. 6. That Congress may at any time amend, suspend, or repeal any or all of the provisions of this act.

Approved, March 16, 1906 (34 Stat. L., 63).

CLAUSE IN ACT MAKING APPROPRIATIONS FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE FISCAL YEAR ENDING JUNE 30, 1907, INTERPRETING THE ACT OF MARCH 16, 1906 (ADAMS ACT).

The act of Congress approved March sixteenth, nineteen hundred and six, entitled "An act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof," shall be construed to appropriate for each station the sum of five thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and six, the sum of seven thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and seven, the sum of nine thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and eight, the sum of eleven thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and nine, the sum of thirteen thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and ten, and the sum of fifteen thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and eleven. The sum of five thousand dollars appropriated for the fiscal year nineteen hundred and six shall be paid on or before June thirtieth, nineteen hundred and six, and the amounts appropriated for the subsequent years shall be paid as provided in the said act to each State and Territory for the more complete endowment and maintenance of agricultural experiment stations now established or which may hereafter be established in accordance with the act of Congress approved March second, eighteen hundred and eighty-seven.

Approved, June 30, 1906 (34 Stat. L., 669, 696).

ACT OF 1914 PROVIDING FOR COOPERATIVE EXTENSION WORK.

[Smith-Lever Act.]

AN ACT To provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July second, eighteen hundred and sixty-two, and of acts supplementary thereto, and the United States Department of Agriculture.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to aid in diffusing among the people of the United States useful and practical information on subjects relating to agriculture and home economics, and to encourage the application of the same, there may be inaugurated in connection with the college or colleges in each State now receiving, or which may hereafter receive, the benefits of the act of Congress approved July second, eighteen hundred and sixty-two, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts" (Twelfth Statutes at Large, page five hundred and three), and of the act of Congress approved August thirtieth, eighteen hundred and ninety (Twenty-sixth Statutes at Large, page four hundred and seventeen and chapter eight hundred and forty-one), agricultural extension work which shall be carried on in cooperation with the United States Department of Agriculture: *Provided*, That in any State in which two or more such colleges have been or hereafter may be established the appropriations hereinafter made to such State shall be administered by such college or colleges as the legislature of such State may direct: *Provided further*, That, pending the inauguration and development of the cooperative extension work herein authorized, nothing in this act shall be construed to discontinue either the farm management work or the farmers' cooperative demonstration work as now conducted by the Bureau of Plant Industry of the Department of Agriculture.

SEC. 2. That cooperative agricultural extension work shall consist of the giving of instruction and practical demonstrations in agriculture and home economics to persons not attending or resident in said colleges in the several communities, and

imparting to such persons information on said subjects through field demonstrations, publications, and otherwise; and this work shall be carried on in such manner as may be mutually agreed upon by the Secretary of Agriculture and the State agricultural college or colleges receiving the benefits of this act.

SEC. 3. That for the purpose of paying the expenses of said cooperative agricultural extension work and the necessary printing and distributing of information in connection with the same, there is permanently appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$480,000 for each year, \$10,000 of which shall be paid annually, in the manner hereinafter provided, to each State which shall by action of its legislature assent to the provisions of this act: *Provided*, That payment of such installments of the appropriation hereinbefore made as shall become due to any State before the adjournment of the regular session of the legislature meeting next after the passage of this act may, in the absence of prior legislative assent, be made upon the assent of the governor thereof, duly certified to the Secretary of the Treasury: *Provided further*, That there is also appropriated an additional sum of \$600,000 for the fiscal year following that in which the foregoing appropriation first becomes available, and for each year thereafter for seven years a sum exceeding by \$500,000 the sum appropriated for each preceding year, and for each year thereafter there is permanently appropriated for each year the sum of \$4,100,000 in addition to the sum of \$480,000 hereinbefore provided: *Provided further*, That before the funds herein appropriated shall become available to any college for any fiscal year plans for the work to be carried on under this act shall be submitted by the proper officials of each college and approved by the Secretary of Agriculture. Such additional sums shall be used only for the purposes hereinbefore stated, and shall be allotted annually to each State by the Secretary of Agriculture and paid in the manner hereinbefore provided, in the proportion which the rural population of each State bears to the total rural population of all the States as determined by the next preceding Federal census: *Provided further*, That no payment out of the additional appropriations herein provided shall be made in any year to any State until an equal sum has been appropriated for that year by the legislature of such State, or provided by State, county, college, local authority, or individual contributions from within the State, for the maintenance of the cooperative agricultural extension work provided for in this act.

SEC. 4. That the sums hereby appropriated for extension work shall be paid in equal semiannual payments on the first day of January and July of each year by the Secretary of the Treasury upon the warrant of the Secretary of Agriculture, out of the Treasury of the United States, to the treasurer or other officer of the State duly authorized by the laws of the State to receive the same; and such officer shall be required to report to the Secretary of Agriculture, on or before the first day of September of each year, a detailed statement of the amount so received during the previous fiscal year, and of its disbursement, on forms prescribed by the Secretary of Agriculture.

SEC. 5. That if any portion of the moneys received by the designated officer of any State for the support and maintenance of cooperative agricultural extension work, as provided in this act, shall by any action or contingency be diminished or lost or be misapplied, it shall be replaced by said State to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to said State, and no portion of said moneys shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings, or the purchase or rental of land, or in college-course teaching, lectures in colleges, promoting agricultural trains, or any other purpose not specified in this act, and not more than five per centum of each annual appropriation shall be applied to the printing and distribution of publications. It shall be the duty of each of said colleges annually, on or before the first day of January, to make to the governor of the State in which it is located a full and detailed report of its operations in the direction of extension work

as defined in this act, including a detailed statement of receipts and expenditures from all sources for this purpose, a copy of which report shall be sent to the Secretary of Agriculture and to the Secretary of the Treasury of the United States.

SEC. 6. That on or before the first day of July in each year after the passage of this act the Secretary of Agriculture shall ascertain and certify to the Secretary of the Treasury as to each State whether it is entitled to receive its share of the annual appropriation for cooperative agricultural extension work under this act, and the amount which it is entitled to receive. If the Secretary of Agriculture shall withhold a certificate from any State of its appropriation, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the expiration of the Congress next succeeding a session of the legislature of any State from which a certificate has been withheld, in order that the State may, if it should so desire, appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury.

SEC. 7. That the Secretary of Agriculture shall make an annual report to Congress of the receipts, expenditures, and results of the cooperative agricultural extension work in all of the States receiving the benefits of this act, and also whether the appropriation of any State has been withheld, and if so, the reasons therefor.

SEC. 8. That Congress may at any time alter, amend, or repeal any or all of the provisions of this act.

Approved, May 8, 1914.

FRANKING PRIVILEGE IN CONNECTION WITH THE SMITH-LEVER ACT.

[Extract from act making appropriations for the United States Department of Agriculture for the fiscal year ending June 30, 1915.]

All correspondence, bulletins, and reports for the furtherance of the purposes of the act approved May eighth, nineteen hundred and fourteen, entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July second, eighteen hundred and sixty-two, and the acts supplementary thereto, and the United States Department of Agriculture," may be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General, from time to time, may prescribe, by such college officer or other person connected with the extension department of such college as the Secretary of Agriculture may designate to the Postmaster General.

AMOUNTS AVAILABLE TO THE STATES UNDER THE SMITH-LEVER ACT.

The appended table shows the maximum amounts which the several States will be eligible to receive under the Smith-Lever Act, which provides for cooperative agricultural extension work between the States and the United States Department of Agriculture.

As the table shows, the act makes available for the next nine fiscal years an aggregate sum of \$23,120,000 of Federal funds. To obtain this total, the States must appropriate for like purposes a total of \$18,800,000, making a grand total of \$41,920,000 to be expended during the next nine fiscal years. Thereafter the Federal Government is to appropriate \$4,580,000 annually, and the States, to take their full quota, must appropriate \$4,100,000 annually, making a total annual expenditure for this purpose of \$8,680,000.

Maximum amounts of Federal funds which the States would be eligible to receive under the Smith-Lever act for cooperative agricultural extension work.

State.	Fiscal year 1914-15.		1915-16	1916-17	1917-18, 1918-19, 1919-20, ¹ 1920-21, 1921-22	1922-23, and thereafter.
	Per cent that rural popula- tion of State bears to total rural popula- tion. ¹	Amount each State will receive.	Maximum amount each State is enti- tled to receive.	Maximum amount each State is enti- tled to receive.	For the above fiscal years, add each year the amount given below to the total for the immediately preceding year.	For fiscal year 1922-23 and there- after.
Alabama.....	3.58	\$10,000	\$31,493	\$49,404	\$17,911	\$156,870
Arizona.....	.29	10,000	11,717	13,147	1,431	21,730
Arkansas.....	2.78	10,000	26,680	40,580	13,900	123,980
California.....	1.84	10,000	21,039	30,236	9,198	85,424
Colorado.....	.80	10,000	14,795	18,789	3,995	42,759
Connecticut.....	.232	10,000	11,398	12,563	1,165	19,554
Delaware.....	.213	10,000	11,281	12,347	1,067	18,749
Florida.....	1.08	10,000	16,491	21,898	5,408	54,345
Georgia.....	4.19	10,000	35,174	56,151	20,978	182,020
Idaho.....	.52	10,000	13,110	15,702	2,592	31,254
Illinois.....	4.38	10,000	36,282	58,184	21,902	189,596
Indiana.....	3.16	10,000	28,943	44,729	15,786	139,442
Iowa.....	3.13	10,000	28,794	44,456	15,662	138,428
Kansas.....	2.43	10,000	24,556	36,686	12,130	109,466
Kentucky.....	3.51	10,000	31,088	48,660	17,573	154,103
Louisiana.....	2.35	10,000	24,094	35,839	11,745	106,309
Maine.....	.731	10,000	14,389	18,047	3,657	39,991
Maryland.....	1.29	10,000	17,748	24,203	6,456	62,936
Massachusetts...	.49	10,000	12,922	15,374	2,443	30,029
Michigan.....	3.00	10,000	28,002	43,005	15,002	133,016
Minnesota.....	2.48	10,000	24,899	37,315	12,416	111,811
Mississippi.....	3.22	10,000	29,330	45,438	16,108	142,086
Missouri.....	3.84	10,000	33,036	52,232	19,196	167,411
Montana.....	.491	10,000	12,952	15,412	2,460	30,172
Nebraska.....	1.79	10,000	20,728	29,668	8,940	83,308
Nevada.....	.14	10,000	10,834	11,529	695	15,699
New Hampshire	.36	10,000	12,133	13,909	1,777	24,572
New Jersey.....	1.28	10,000	17,660	24,043	6,383	62,341
New Mexico....	.57	10,000	13,414	16,259	2,845	33,329
New York.....	3.90	10,000	33,443	52,979	19,536	170,195
North Carolina..	3.82	10,000	32,953	52,081	19,127	166,846
North Dakota...	1.04	10,000	16,236	21,431	5,196	52,607
Ohio.....	4.26	10,000	35,557	56,855	21,297	184,640
Oklahoma.....	2.71	10,000	26,256	39,802	13,547	121,081
Oregon.....	.741	10,000	14,442	18,144	3,701	40,352
Pennsylvania...	6.15	10,000	46,893	77,637	30,744	262,101
Rhode Island...	.04	10,000	10,220	10,402	183	11,497
South Carolina..	2.61	10,000	25,691	38,768	13,076	117,223
South Dakota...	1.03	10,000	16,167	21,308	5,140	52,148
Tennessee.....	3.53	10,000	31,202	48,870	17,668	154,878
Texas.....	5.99	10,000	45,970	75,945	29,975	255,795
Utah.....	.41	10,000	12,438	14,468	2,031	26,655
Vermont.....	.38	10,000	12,275	14,170	1,896	25,543
Virginia.....	3.21	10,000	29,267	45,323	16,056	141,659
Washington.....	1.09	10,000	16,523	21,958	5,436	54,571
West Virginia...	2.01	10,000	22,071	32,130	10,059	92,484
Wisconsin.....	2.69	10,000	26,164	39,634	13,470	120,454
Wyoming.....	.21	10,000	11,250	12,290	1,041	18,541
	99.988	480,000	1,080,000	1,580,000	500,000	4,580,000

¹ Figures after 1920 subject to returns of fourteenth census on rural population.

ANNUAL APPROPRIATIONS FOR THE EXPERIMENT STATIONS AND THE RELATIONS OF THE OFFICE OF EXPERIMENT STATIONS THERETO.

[Extract from act making appropriations for the United States Department of Agriculture for the fiscal year ending June 30, 1915.]

To carry into effect the provisions of an act approved March second, eighteen hundred and eighty-seven, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto," the sums apportioned to the several States and Territories to be paid quarterly in advance, \$720,000;

To carry into effect the provisions of an act approved March sixteenth, nineteen hundred and six, entitled "An act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof," the sums apportioned to the several States and Territories to be paid quarterly in advance, \$720,000: *Provided*, That not to exceed \$15,000 shall be paid to each State and Territory under this act;

To enable the Secretary of Agriculture to enforce the provisions of the above acts and the act approved May eighth, nineteen hundred and fourteen, entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July second, eighteen hundred and sixty-two, and of acts supplementary thereto, and the United States Department of Agriculture," relative to their administration, including the employment of clerks, assistants, and other persons in the city of Washington and elsewhere, freight and express charges, official traveling expenses, office fixtures, supplies, apparatus, telegraph and telephone service, gas, electric current, and rent outside of the District of Columbia, \$50,500; and the Secretary of Agriculture shall prescribe the form of the annual financial statement required under the above acts, ascertain whether the expenditures are in accordance with their provisions, and make report thereon to Congress. * * *

To enable the Secretary of Agriculture to establish and maintain agricultural experiment stations in Alaska, Hawaii, Porto Rico, and the island of Guam, including the erection of buildings, the preparation, illustration, and distribution of reports and bulletins, and all other necessary expenses, \$120,000, as follows: Alaska, \$40,000; Hawaii, \$35,000; Porto Rico, \$30,000; and Guam, \$15,000; and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment stations in Alaska, Hawaii, Porto Rico, and the island of Guam, and this fund shall be available until used: *Provided*, That of the sum herein appropriated for the experiment station in Hawaii \$5,000 may be used in agricultural extension work in Hawaii.

AGRICULTURAL EDUCATION WORK OF THE OFFICE OF EXPERIMENT STATIONS.

[Extract from act making appropriations for the United States Department of Agriculture for the fiscal year ending June 30, 1915.]

To enable the Secretary of Agriculture to investigate and report upon the organization and progress of farmers' institutes and agricultural schools in the several States and Territories, and upon similar organizations in foreign countries, with special suggestions of plans and methods for making such organizations more effective for the dissemination of the results of the work of the Department of Agriculture and the agricultural experiment stations, and of improved methods of agricultural practice, including the employment of labor in the city of Washington and elsewhere, and all other necessary expenses, \$23,000.

SALE OF CARD INDEX OF EXPERIMENT STATION LITERATURE.

[Extract from act making appropriations for the United States Department of Agriculture for the fiscal year ending June 30, 1909.]

And the Secretary of Agriculture hereafter may furnish to such institutions or individuals as may care to buy them copies of the card index of agricultural literature prepared by the Office of Experiment Stations, and charge for the same a price covering the additional expense involved in the preparation of these copies, the money received from such sales to be deposited in the Treasury of the United States as miscellaneous receipts. * * *

Approved, May 23, 1908 (35 Stat. L., 266).

PRINTING OF REPORT ON WORK AND EXPENDITURES OF THE EXPERIMENT STATIONS.

[Joint resolution of Congress, Apr. 27, 1904.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there be printed eight thousand copies of the Report of the Director of the Office of Experiment Stations, prepared under the supervision of the Secretary of Agriculture, on the work and expenditures of that office and of the agricultural experiment stations established in the several States and Territories under the act of Congress of March second, eighteen hundred and eighty-seven, for nineteen hundred and three, of which one thousand copies shall be for the use of the Senate, two thousand copies for the use of the House of Representatives, and five thousand copies for the use of the Department of Agriculture: and that annually hereafter a similar report shall be prepared and printed, the edition to be the same as for the report herein provided.

COOPERATION OF BUREAUS OF THE UNITED STATES DEPARTMENT OF AGRICULTURE WITH THE STATE EXPERIMENT STATIONS.

The act making appropriations for the United States Department of Agriculture for the fiscal year ending June 30, 1915, provides for cooperation between the Bureau of Animal Industry and the State experiment stations in animal feeding and breeding; between the Bureau of Plant Industry and the stations "in the investigation of fruits, fruit trees, grain, cotton, tobacco, vegetables, grasses, forage, drug, medicinal, poisonous, fiber, and other plants and plant industries," and in the testing and breeding of fiber plants, including the testing of flax straw for paper making (in cooperation with the North Dakota Agricultural College); between the Bureau of Soils and the stations in the investigation of soils; and between the Bureau of Entomology and the stations in the prevention of the spread of gipsy and brown-tail moths. Provision is also made for cooperation between the Department of Agriculture and the agricultural colleges and experiment stations in "studies of cooperation among farmers in the United States in matters of rural credits and of other forms of cooperation in rural communities."

REGULATIONS OF THE POST OFFICE DEPARTMENT CONCERNING AGRICULTURAL EXPERIMENT STATION PUBLICATIONS.

Sections 515, 516, and 517 of the Postal Laws and Regulations (1902) of the United States relating to the free transmission of reports and bulletins of agricultural colleges and experiment stations read as follows:

SEC. 515. One copy of each of the annual reports required by law to be made to the Secretary of the Interior and the Secretary of Agriculture, by such colleges as are or may hereafter be established for the benefit of agriculture and the mechanic arts in the several States and Territories under the provisions of the act of July 2, 1862, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," and the acts amendatory thereof * * * shall be transmitted by mail free, by each, to all the other colleges which may be endowed under the provisions of this act (of July 2, 1862), and also one copy to the Secretary of the Interior and the Secretary of Agriculture.

2. Postmasters at offices where colleges are established under the provisions of the act of July 2, 1862, will receive from the officers thereof the reports referred to addressed, one copy each, to such other colleges and to the Secretary of the Interior and the Secretary of Agriculture, and affix to each a penalty label or official envelope of the post office, and forward the same free.

SEC. 516. Bulletins or reports of progress, one copy to each newspaper in the State or Territory in which the colleges hereafter referred to are located, and to such individuals actually engaged in farming as may request the same, and the annual reports required by law to be published by the agricultural experiment stations established under the provisions of the act of March 2, 1887, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the various States and Territories under the provisions of an act approved July 2, 1862, and the acts supplementary thereto," for the benefit of agriculture and the mechanic arts (*of said stations*) shall be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General may from time to time prescribe.

SEC. 517. Agricultural experiment stations which claim the privilege of transmitting free through the mails, under the provisions of the preceding section, bulletins, reports of progress, or annual reports, must make application to the Postmaster General, stating the date of the establishment of such station, its proper name or designation, its official organization, and the names of its officers, the name of the university, college, school, or institution to which it is attached, if any, the legislation of the State or Territory providing for its establishment, and any other granting it the benefits of the provision made by Congress as referred to in the preceding section, accompanied by a copy of the act or acts, and whether any other such station in the same State or Territory is considered, or claims to be, also entitled to the privilege; and also the place where such station is located and the name of the post office where the bulletins and reports will be mailed. The application must be signed by the officer in charge of the station.

2. If such application is allowed by the Postmaster General the postmaster at the proper office will be instructed to admit such bulletins and reports to the mails free of postage, and the officer in charge of the station will be notified thereof.

3. Only such bulletins or reports as shall have been issued after an experiment station became entitled to the privileges of the preceding section can be transmitted free; and such bulletins or reports may be inclosed in envelopes or wrappers, sealed or unsealed. On the exterior of every envelope, wrapper, or package must be written

or printed the name of the station and place of its location, the designation of the bulletin or report inclosed, and the word "Free" over the signature or facsimile thereof of the officer in charge of the station, to be affixed by himself, or by some one duly authorized by him. There may also be written or printed upon the envelope or wrapper a request that the postmaster at the office of delivery will notify the mailing station of the change of address of the addressee, or other reason for inability to deliver the same, and upon a bulk package a request to the postmaster to open and distribute the "franked" matter therein, in accordance with the addresses thereon.

4. Bulletins published by the United States Department of Agriculture, and entitled to be mailed free under the penalty envelope of that department, may also be adopted and mailed by agricultural experiment stations, with such of their own publications as are entitled to free transmission in the mails, under the same regulations; and any bulletins or reports mailable free by any agricultural experiment station under these regulations may be so mailed by any other station entitled to such privilege.

5. If annual reports of an agricultural experiment station are printed by State authority, and consist in part of matter relating to the land-grant college to which such station is attached, then said report entire may be mailed free by the director of the station, provided, in his judgment, the whole consists of useful information of an agricultural character. But the reports of State agricultural departments or boards can not be adopted by agricultural experiment stations in order to secure free circulation of such State reports.

6. The bulletins and reports of progress issued by agricultural experiment stations can only be sent free to the newspapers and persons stated in the preceding section. The annual reports may be sent free to any address.

A part of section 544, relating to free transmission of annual reports to certain foreign countries, reads as follows:

The annual reports of agricultural experiment stations may be sent free to Canada, Cuba, and Mexico.

A part of section 672, relating to the return and disposal of unclaimed official matter, as amended April 26, 1912, reads as follows:

Unclaimed official mail sent under penalty envelope or label or the frank of a Member of Congress and unclaimed reports and bulletins sent out from State agricultural colleges and from agricultural experiment stations will be returned to the office of mailing if it is known. If the office of origin can not be ascertained, such mail will be returned to the post office at Washington, D. C.

An order of the Postmaster General provides—

Any article entitled to transmission free of postage in the domestic mails of the United States, either in a "penalty" envelope or under a duly authorized "frank," shall be entitled likewise to transmission in the mails free of postage between places in any possession of the United States from one to another of such possessions, from the United States to such possessions, and from such possessions to the United States.

Among rulings on matters of detail the following are the most important:

In sending out bulletins from an agricultural experiment station it is permissible to inclose postal cards to enable correspondents of the station to acknowledge the receipt of its publications and to request their continuous transmission.

"Copies of the reports or bulletins of the agricultural experiment stations, which are purchased, paid, or subscribed for, or otherwise disposed of for gain, when sent

in the mails, are not entitled to free carriage under the 'frank' of the director of station."

Station bulletins and reports, consisting of typewritten matter duplicated on a mimeograph or other duplicating machine, "retain their character as free matter when properly franked by the director of the station."

Cards upon which are printed bulletins issued by agricultural experiment stations established under the provisions of the act of March 2, 1887, may be sent openly in the mails, free of postage, provided the address side of such cards bears the indicia prescribed in paragraph 3, section 517, Postal Laws and Regulations, for envelopes used by the experiment stations referred to in mailing copies of their bulletins and reports.

Reports of the State boards of agriculture or other State boards, commissioners, or officers, even though they contain station bulletins and reports, can not be sent free through the mails under the frank of the director of the station. The catalogue of the college of which the station is a department can not be sent free through the mails under the frank of the director of the station, whether said catalogue is published separately or is bound together with a station publication.

RULINGS OF THE TREASURY DEPARTMENT AFFECTING AGRICULTURAL EXPERIMENT STATIONS.

From copies of letters addressed to the Secretary of the Treasury and others by the First Comptroller of the Treasury, relating to the construction of the acts of Congress of March 2, 1887 (Hatch Act), and March 16, 1906 (Adams Act), and acts supplementary thereto, the following digest has been prepared. The dates of the decision by the comptroller are given:

SECTION 3, HATCH ACT—JANUARY 30, 1888.

The annual financial statement of the stations, with vouchers, should not be sent to the Treasury Department, but a copy simply of the report that is made to the governor is to be sent to the Secretary of the Treasury.

SECTION 3, HATCH ACT—JANUARY 31, 1888.

(1) The Treasury Department will not require officers of experiment stations to do or perform anything not specifically required by said bill.

(2) The Secretary of the Treasury is not required to take a bond of the officers of said stations for the money paid over under the provisions of said act.

(3) No reports will be required from the stations directly to the Secretary of the Treasury; but the governor of the State must send to the Secretary of the Treasury a copy of the report made to him by the colleges or stations.

SECTION 4, HATCH ACT—DECEMBER 16, 1895.

The Solicitor of the Treasury writes: "I am of the opinion that there is no authority for an agricultural experiment station to sell its bulletins outside of the State or Territory. Congress appropriates for the publication and free distribution of the bulletins, and neither expressly nor by necessary implication authorizes their sale."

SECTION 6, HATCH ACT—AUGUST 2, 1888.

The fiscal year commences on the 1st day of July, corresponding with the fiscal year of the Government.

An agricultural station entitled to the benefits of said appropriations made by Congress can anticipate the payment to be made July 1, and make contracts of pur-

chases prior to that time, if it shall be necessary to carry on the work of the station. Of course, no portion of said appropriations paid in quarterly installments can be drawn from the Treasury unless needed for the purposes indicated in the act; and so much of what is so drawn as may not have been expended within the year must be accounted for as part of the appropriation for the following year.

SECTION 8, HATCH ACT—JANUARY 30, 1888.

The State of New York ought to designate whether to the college or to the station or to both it desires the appropriation to be applied. The eighth section of the act seems to authorize the State to apply such benefits to experimental stations it may have established as it desires.

Where there are no experimental stations connected with the colleges, the legislatures of such States must connect the agricultural experiment station with the colleges already established under the act of July 2, 1862; there is no authority in the act authorizing the establishment of agricultural experiment stations independent of said colleges.

The act contemplates that where stations have already been established disconnected from the colleges the legislatures of such States may make such provisions in regard thereto as they may deem proper; but it does not authorize the establishment of stations except in connection with the colleges that were at that time or might hereafter be established under the act of July 2, 1862.

SECTION 8, HATCH ACT—FEBRUARY 14, 1888.

Where there is an agricultural college or station which may have been established by State authority and is maintained by the State, the eighth section of the above act would authorize the State to designate the station to which it desired the appropriation to be applied, whether to one or more, or all, and the Secretary of the Treasury should make the payment under the appropriation to whichever one the State might desire.

SECTIONS 1 AND 8, HATCH ACT—FEBRUARY 15, 1888.

(1) When an agricultural college or station has been established under the act of July 2, 1862, each college is entitled to the benefits of the provisions of said act (i. e., of Mar. 2, 1887).

(2) In a State where an agricultural college has been established under the act of July 2, 1862, and agricultural stations have also been established, either under the act of July 2, 1862, or by State authority, before March 2, 1887, the legislature of such State shall determine which one of said institutions, or how many of them, shall receive the benefits of the act of March 2, 1887.

(3) If the legislature of any State in which an agricultural college has been established under the act of July 2, 1862, desires to establish an agricultural station which shall be entitled to the benefits of said act, it must establish such station in connection with said college.

SECTIONS 1 AND 8, HATCH ACT—DECEMBER 7, 1888.

It is within the power of the legislature of any State that has accepted the provisions of said act of March 2, 1887, to dispose of the amount appropriated by Congress for said station to each one or all of the agricultural colleges or stations which may have been established in said State by virtue of either the provisions of the act of July 2, 1862, or the provisions of said eighth section of the act of March 2, 1887.

The whole responsibility rests upon the State legislature as to how the fund appropriated by Congress shall be distributed among these various institutions of the State, provided there is one or more agricultural colleges with which an agricultural station is connected or one or more agricultural stations.

UNEXPENDED BALANCES OF APPROPRIATIONS, HATCH AND ADAMS ACTS—AUGUST 11, 1911, AND DECEMBER 27, 1911.

Section 3 of the so-called Adams Act of March 16, 1906 (34 Stat., 63), which provides for an increased annual appropriation for agricultural experiment stations, requires that such part of the money appropriated under the provisions of said act as may be diminished or lost or misapplied after being received by the officer of the State or Territory designated to receive same must "be replaced by said State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory"; and this requirement is an absolute prohibition upon the apportionment until such replacement is actually made, a mere withholding from the subsequent appropriation of an amount equal to that diminished, lost, or misapplied not being a compliance with said statute. (18 Comp. Dec., 120.)

Such funds may be replaced by expending the amount involved for the purposes for which the funds were originally appropriated, to the satisfaction of the Secretary of Agriculture. There is "no limitation on time within which the replacement shall be made," but "no apportionment whatever can be made until the misapplied moneys are replaced."

The provision in the Hatch Act of March 2, 1887 (24 Stat., 440), requiring the deduction of unexpended apportionments of appropriations applies also to appropriations under the Adams Act of March 16, 1906 (34 Stat., 63). (18 Comp. Dec., 485.)

Such unexpended balances must be accounted for as a part of the appropriation for the next succeeding year; in short, each station must account every year for the specific sum (fifteen thousand dollars) provided by Congress, although the amount actually paid to the station in any one year may be less than fifteen thousand dollars on account of the deduction of an unexpended balance for the preceding fiscal year.

RULINGS OF THE DEPARTMENT OF AGRICULTURE ON THE WORK AND EXPENDITURES OF AGRICULTURAL EXPERIMENT STATIONS.

In connection with examinations of the work and expenditures of the agricultural experiment stations established in accordance with the act of Congress of March 2, 1887, and further endowed under act of Congress of March 16, 1906, under authority given to the Secretary of Agriculture by Congress, questions have arisen which have seemed to make it advisable to formulate the views of this department on certain matters affecting the management of the stations under those acts. The rulings which have been made from time to time on points which seemed to require special attention are as follows:

EXPENDITURES FOR PERMANENT SUBSTATIONS.

This department holds that the expenditure of funds appropriated in accordance with the provisions of the act of Congress of March 2, 1887, for the maintenance of permanent substations is contrary to the spirit and intent of said act. The act provides for an experiment station in each State and Territory, which, except in cases specified in the act, is to be a department of the college established under the act of

Congress of July 2, 1862. The objects of the stations, as defined in the first-mentioned act, are evidently of such a character as to necessitate the services of scientific and expert workers. Most of the lines of investigation named in the act are general, rather than local, and involve scientific equipment and work. It is obviously the intent that the stations established under this act shall carry on important investigations which shall be of general benefit to the agriculture of the several States and Territories. The sum of \$15,000, which is annually appropriated by Congress under this act for each station, is only sufficient to carry out a limited number of investigations of the kind contemplated by the act.

As the work of the stations in the different States has developed it has been found necessary to limit, rather than expand, the lines of work of the individual stations. Thorough work in a few lines has been found more effective and productive of more useful results than small investigations in numerous lines. When we consider the nature of the investigations, the amount of money provided for the work of each station, and the fact that the act expressly provides for only a single station in connection with each college, it becomes very clear that expenditures such as are necessary to effectually maintain permanent substations ought not to be made from the funds granted by Congress to the States and Territories for experiment stations. The maintenance of permanent substations, as a rule, involves the erection of buildings and the making of other permanent improvements. The sums of money which can be expended for permanent improvements under the act of Congress aforesaid are so small that it is clear they were not intended to meet the needs of more than one station in each State and Territory.

When the legislature of a State or Territory has given its assent to the provisions of the act of Congress of March 2, 1887, and has designated the institution which shall receive the benefits of said act, it would seem to have exhausted its powers in the matter. The responsibility for the maintenance of an experiment station under said act devolves upon the governing board of the institution thus designated. If the legislature of the State or Territory sees fit to provide funds for the equipment and maintenance of other experiment stations and to put them under the control of the same governing board, well and good, but this does not in any way diminish the responsibility of the board to administer the funds granted by Congress in accordance with the provisions of said act.

The wisdom of Congress in limiting the number of stations to be established in each State and Territory under the aforesaid act has been clearly shown by the experience of the few States and Territories which have attempted the maintenance of substations with the funds granted under said act. The expense of maintaining substations has, as a rule, materially weakened the central station, and the investigations carried on at the substations have been superficial and temporary. It is granted that in many States and Territories more than one agricultural experiment station might do useful work, and in some States more than one station has already been successfully maintained; but in all these cases the State has given funds from its own treasury to supplement those given by Congress. It is also granted that experiment stations established under said act of Congress and having no other funds than those provided by that act will often need to carry on investigations in different localities in their respective States and Territories, but it is held that this should be done in such a way as will secure the thorough supervision of such investigations by the expert officers of the station and that arrangements for such experimental inquiries should not be of so permanent a character as to prevent the station from shifting its work from place to place as circumstances may require nor involve the expenditure of funds in such amounts and in such ways as will weaken the work of the station as a whole.

As far as practicable the cooperation of individuals and communities benefited by these special investigations should be sought and, if necessary, the aid of the States invoked to carry on enterprises too great to be successfully conducted within the limits of the appropriation granted by Congress under the act aforesaid.

PURCHASE OR RENTAL OF LANDS FOR AGRICULTURAL EXPERIMENT STATIONS.

This department holds that the purchase or rental of lands by the experiment stations from the funds appropriated in accordance with the provisions of the act of Congress of March 2, 1887, is contrary to the spirit and intent of said act. The act provides for "paying the necessary expenses of conducting investigations and experiments and printing and distributing the results. * * * *Provided, however, That* out of the first annual appropriation so received by any station an amount not exceeding one-fifth may be expended in the erection, enlargement, or repair of a building or buildings necessary for carrying on the work of such stations; and thereafter an amount not exceeding five per centum of such annual appropriation may be so expended." The only reference to land for the station in the act is in section 8, where State legislatures are authorized to apply appropriations made under said act to separate agricultural colleges or schools established by the State "which shall have connected therewith an experimental farm or station." The strict limitation of the amount provided for buildings and the absence of any provision for the purchase or rental of lands, when taken in connection with the statement in the eighth section, which treats the farm as in a sense a necessary adjunct of the educational institution to which the whole or a part of the funds appropriated in accordance with said act might in certain cases be devoted, point to the conclusion that it was expected that the institution of which the station is a department would supply the land needed for experimental purposes and that charges for the purchase or rental of lands would not be made against the funds provided by Congress for the experiment station. This conclusion is reinforced by consideration of a wise and economic policy in the management of agricultural experiment stations, especially as relating to cases in which it might be desirable for the station to have land for experimental purposes in different localities. The investigations carried on by the stations in such cases being for the direct benefit of agriculture in the localities where the work is done, it seems only reasonable that persons or communities whose interests will be advanced by the station work should contribute the use of the small tracts of land which will be required for experimental purposes. Experience shows that in most cases the stations have had no difficulty in securing such land as they needed without expense, and it is believed that this may be done in every case without injuriously affecting the interests of the stations.

EXPENDITURES BY AGRICULTURAL EXPERIMENT STATIONS FOR CARRYING ON FARM OPERATIONS.

This department holds that expenses incurred in conducting the operations of farms, whether the farms are connected with institutions established under the act of Congress of July 2, 1862, or not, are not a proper charge against the funds appropriated by Congress for agricultural experiment stations in accordance with the act of Congress of March 2, 1887, unless such operations definitely constitute a part of agricultural investigations or experiments planned and conducted in accordance with the terms of the act aforesaid, under rules and regulations prescribed by the governing board of the station. The performance of ordinary farm operations by an experiment station does not constitute experimental work. Operations of this character by an experiment station should be confined to such as are a necessary part of experimental inquiries. Carrying on a farm for profit or as a model farm, or to secure funds which may be afterwards devoted to the erection of buildings for experiment station purposes, to the further development of experimental investigation, or to any other purpose, however laudable and desirable, is not contemplated by the law as a part of the functions of an agricultural experiment station established under the act of Congress of March 2, 1887. Section 5 of that act plainly limits the expenditures of funds appropriated in accordance with said act to "the necessary expenses of conducting investigations and experiments and printing and distributing the results."

FUNDS ARISING FROM THE SALE OF FARM PRODUCTS OR OTHER PROPERTY OF AN AGRICULTURAL EXPERIMENT STATION.

This department holds that moneys received from the sales of farm products or other property in the possession of an agricultural experiment station as the result of expenditures of funds received by the station in accordance with the act of Congress of March 2, 1887, rightfully belong to the experiment station as a department of the college or other institution with which it is connected, and may be expended in accordance with the laws or regulations governing the financial transactions of the governing board of the station, provided, however, that all expenses attending such sales, including those attending the delivery of the property into the possession of the purchaser, should be deducted from the gross receipts from the sales and should not be made a charge against the funds appropriated by Congress.

LIMIT OF EXPENDITURES OF EXPERIMENT STATIONS DURING ONE FISCAL YEAR.

This department holds that expenses incurred by an agricultural experiment station in any one fiscal year to be paid from the funds provided under the act of Congress of March 2, 1887, should not exceed the amount appropriated to the station by Congress for that year, and especially that all personal services should be paid for out of the appropriation of the year in which they were performed, and that claims for compensation for such services can not properly be paid out of the appropriations for succeeding years. The several appropriations for experiment stations under the aforesaid act are for one year only, and officers of experiment stations have no authority to contract for expenditures beyond the year for which Congress has made appropriations.

This is plainly implied in the act aforesaid, inasmuch as section 6 provides that unexpended balances shall revert to the Treasury of the United States, "in order that the amount of money appropriated to any station shall not exceed the amount actually and necessarily required for its maintenance and support." The annual financial report rendered in the form prescribed by this department should in every case include only the receipts and expenditures of the fiscal year for which the report is made.

EXPENDITURES BY AGRICULTURAL EXPERIMENT STATIONS FOR A WATER SYSTEM TO BE CHARGED UNDER "BUILDINGS AND REPAIRS."

This department holds that expenditures by agricultural experiment stations from the funds appropriated in accordance with the act of Congress of March 2, 1887, for the construction of wells, cisterns, ponds, or other reservoirs for the storage of water, and for piping, and other materials for a system of storing and distributing water, are properly charged, under abstract 18 in the schedule for financial reports prescribed by this department, as being for improvements on lands which have hitherto been held to come under the head of "buildings and repairs." The fact that a water system may be a necessary adjunct of certain experimental inquiries does not affect the case, inasmuch as the limitations on expenditures for improvements contained in section 5 of the act of Congress of March 2, 1887, expressly stipulate that these improvements shall be such as are necessary for carrying on the work of the station.

EXPENDITURES BY AGRICULTURAL EXPERIMENT STATIONS FOR MEMBERSHIP IN AGRICULTURAL AND OTHER ORGANIZATIONS.

This department holds that membership fees in associations and other organizations are not a proper charge against the funds appropriated by Congress in accordance with the act of March 2, 1887, except in the case of the Association of American Agricultural Colleges and Experiment Stations, which is held to be an essential part of the system of experiment stations established under said act.

THE BORROWING OF MONEY TO PAY THE EXPENSES OF AGRICULTURAL EXPERIMENT STATIONS.

This department holds that experiment station officers have no authority to borrow money to be repaid out of appropriations made under the act of Congress of March 2, 1887, and that charges for interest can not properly be made against funds appropriated under that act.

THE USE OF EXPERIMENT STATION FUNDS FOR COLLEGE PURPOSES.

This department holds that no portion of the funds appropriated by Congress in accordance with the act of March 2, 1887, can legally be used, either directly or indirectly, for paying the salaries or wages of professors, teachers, or other persons whose duties are confined to teaching, administration, or other work in connection with the courses of instruction given in the colleges with which the stations are connected or in any other educational institution; nor should any other expenses connected with the work or facilities for instruction in school or college courses be paid from said fund. In case the same persons are employed in both the experiment station and the other departments of the college with which the station is connected a fair and equitable division of salaries or wages should be made, and in case of any other expenditures for the joint benefit of the experiment station and the other departments of the college the aforesaid funds should be charged with only a fair share of such expenditures.

EXPENSES FOR EXTENSION WORK NOT CHARGEABLE TO THE HATCH FUND.

[Extract from circular letter of the Director of the Office of Experiment Stations of Feb. 25, 1909.]

Expenses for extension work should not be charged against the Hatch fund, and * * * only such printing should be done with that fund as will record the experimental work of the stations established under the Hatch Act. * * *

EXPENDITURES AND ACCOUNTING UNDER THE ADAMS FUND.

[Extract from circular letter of the Secretary of Agriculture of Mar. 20, 1906.]

Under the terms of the act it will be necessary that a separate account of the Adams fund shall be kept at each station, which should be open at all times to the inspection of the Director of the Office of Experiment Stations or his accredited representative. * * *

The Adams fund is "to be applied only to paying the necessary expenses of conducting original researches or experiments bearing directly on the agricultural industry of the United States." It is for the "more complete endowment and maintenance" of the experiment stations, presupposing the provision of a working plant and administrative officers. Accordingly, expenses for administration, care of buildings and grounds, insurance, office furniture and fittings, general maintenance of the station farm and animals, verification and demonstration experiments, compilations, farmers' institute work, traveling, except as is immediately connected with original researches in progress under this act, and other general expenses for the maintenance of the experiment stations, are not to be charged to this fund. The act makes no provision for printing or for the distribution of publications, which should be charged to other funds. * * *

CLASSIFICATION OF STATION ACCOUNTS.

In accordance with the requirement that the Secretary of Agriculture shall prescribe the form of the annual financial statement required under the Hatch and Adams Acts, forms are issued by the

Office of Experiment Stations which provide for the classification of station accounts under 18 ledger headings, as follows:

- (1) *Salaries*—administrative, technical, and clerical.
- (2) *Labor*, regular and temporary, in connection with experiments.
- (3) *Publications*, printing, illustration, envelopes for mailing, etc.
- (4) *Postage and stationery*, including means of communication, such as telephone, telegraph, and cable service; and stationery for office and record purposes, forms, index cards, etc.
- (5) *Freight and express*, including drayage or other charges for handling freight.
- (6) *Heat, light, water, and power*.
- (7) *Chemicals and laboratory supplies* for all departments of the station, not including apparatus of permanent character.
- (8) *Seeds, plants, and sundry supplies* not otherwise provided for, for various departments.
- (9) *Fertilizers*, including water for irrigation.
- (10) *Feeding stuffs* for work animals and those under experiment.
- (11) *Library*—books, periodicals, and binding, but not including equipment or general supplies.
- (12) *Tools, machinery, and appliances*, such as agricultural implements and machines, motors, mills, pumps, vehicles, harness, and small movable structures like animal cages, brooders, or shelters, including repairs to same.
- (13) *Furniture and fixtures* for offices and laboratories—desks, cases, typewriters, and office appliances.
- (14) *Scientific apparatus and specimens*, including mounted insects, fungi, etc.
- (15) *Live stock*, including purchase of animals of all kinds for work or experimental purposes, but not their feeding and care.
- (16) *Traveling expenses* in supervision of station work or in connection with it.
- (17) *Contingent expenses*, to be itemized in detail.
- (18) *Buildings and land*, including all expenses for labor and material for the erection, alteration, and repair of buildings, permanent structures built in place, purchase of permanent fixtures forming part of a building, purchase or rental of land (under Adams fund only), and improvements on land, such as roads, fences, drainage or water systems, etc.

REQUIREMENTS OF EXPERIMENT STATION ACCOUNTING.

[See circular letter of the Director of the Office of Experiment Stations of Mar. 1, 1911.]

The principle which should guide is that all expenditures from the Hatch fund must be for experimental work and publications, and all expenditures from the Adams fund for the projects agreed upon in advance with the Office of Experiment Stations.

In adjusting the salaries of station employees only such portion of their time as is occupied in connection with experimental work and the publication of the results thereof, including correspondence directly relating to the experimental work, should be charged to the Federal funds for the station. All business and correspondence connected with the college, inspection service, and extension department or bureau of information should be paid for from other funds.

The same principle should be applied to all other expenditures from these funds for the maintenance of the station.

The Adams fund expenditures for salaries, labor, travel, apparatus, books, and maintenance should be strictly confined to those necessitated by the projects on file which have been approved by this office. Each voucher should be indorsed with the title of the project for which the expenditure was incurred, and be O. K'd by the officer in immediate charge of the project, as well as by the director.

Separate accounts should be kept for the Hatch, Adams, and sales funds, and as far as practicable separate vouchers should be on file for each of these funds.

The sales fund should be used only for experiment station work and publications and not for inspection or extension work or compiled publications.

Bills for printing, illustrations, preparation of MS., or mailing of publications should not be charged to the Hatch fund unless the publications clearly record the experimental work of the station. Popular bulletins charged to the Hatch fund should expressly show that they embody the results of the station's experimental work. General bulletins of information, circulars containing directions for the use of fertilizers, spraying, etc., which are compiled from well-known sources of information or embody the general or local experience of practical men, and other compiled publications, should not be charged to the Hatch fund.

The expenses of tests and local demonstrations of established results of experimental work or improved practice are not proper charges against the Federal funds for the stations.

In keeping the station books and vouchers and in making up the financial reports strict attention should be paid to the rulings of the department, the published scheme of classification of accounts, and the instructions printed on the first page of the financial schedule and in connection with the several abstracts thereof.

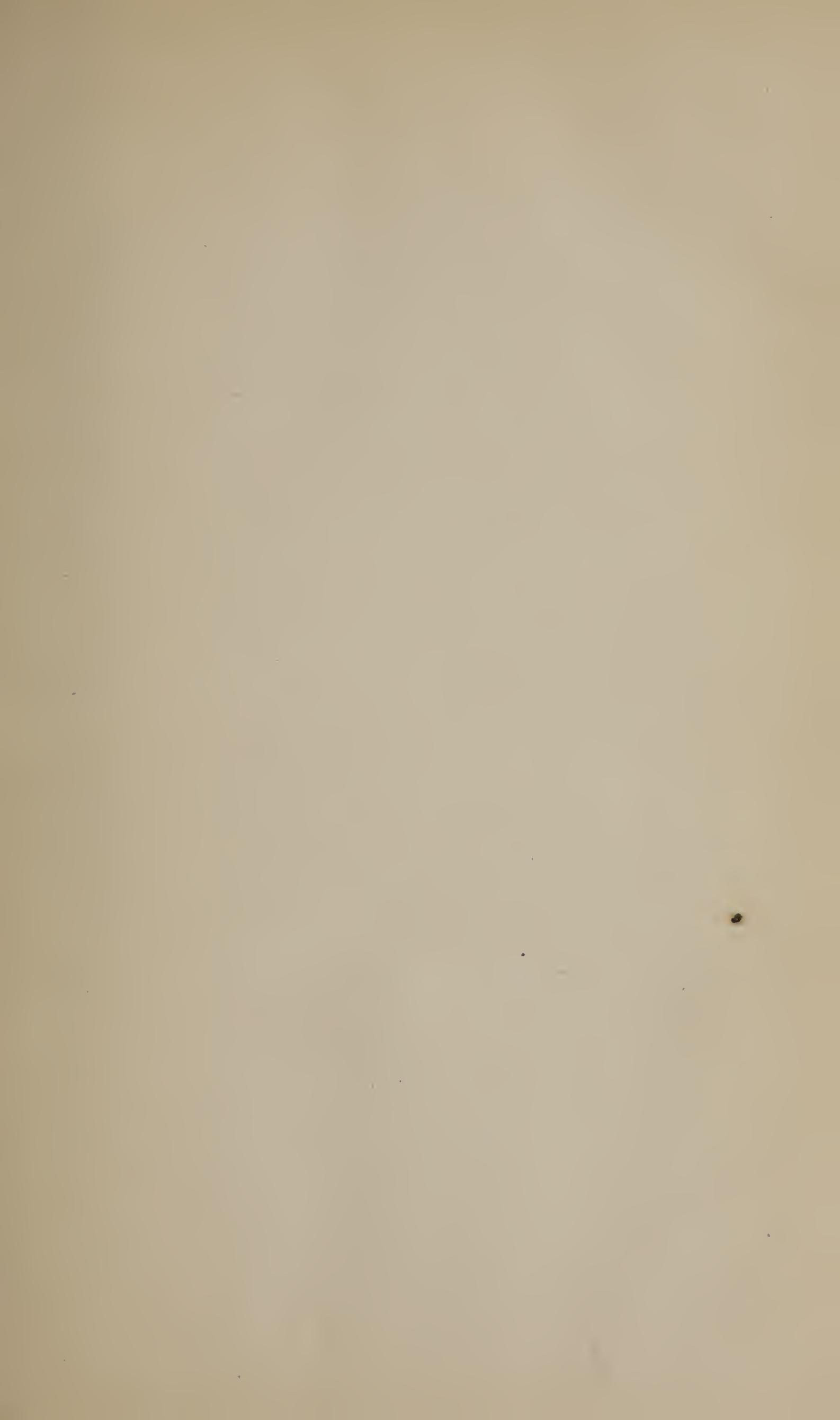
When changes are made of accountants or clerks, the requirements of the department regarding the details of expenditure and accounting should be brought to the attention of the new incumbents, and care should be taken that approved methods of accounting shall not be changed without consideration of the department's requirements.

PROPER ADMINISTRATION OF HATCH AND ADAMS ACTS.

[Extract from report of the Secretary of Agriculture, 1913.]

Efficient station work demands an atmosphere of fairness and justice and reasonable security to the staff. It furthermore requires stability of policy and the highest possible measure of continuity in work and in personnel. Money spent on discontinued or interrupted projects is usually very largely wasted. The director of the station, as the guiding head, is mainly responsible for the success of the station. A good station and a good director go together. The station director deserves to be sustained and supported by the governing board in carrying out the general policy after it is approved by them. A change in the director is inevitably a temporary shock to the work, often interrupts projects, causes changes in the policy and personnel, and creates an era of uncertainty; hence a change is not justified except when clearly indicated by incompetence or inability. In the discharge of its functions in administering the Federal funds and in seeing that they are properly used, the Department of Agriculture should not fail to take cognizance of so important and vital a change as that of director.

The Adams Act directs that the Secretary of Agriculture shall each year ascertain and certify to the Secretary of the Treasury as to each State and Territory, whether it is complying with the provisions of this act and is entitled to receive a share of the annual appropriation. It authorizes the Secretary to withhold certification, thus suspending payment, and to report the matter to Congress. While the right of the colleges to direct the stations within their States and select the members of the station staff is recognized, radical changes in the personnel or policy of the station, except for good and valid reasons, should, it is believed, be held to be unwarranted interference of the governing board with the conduct of the station. Such action fails to recognize the cardinal principles of efficient administration and places an institution in a position of inability to properly employ the Federal funds. It is believed that such a condition does not warrant the Federal Government in continuing to advance funds to the college or its experiment station, and should lead to the withholding of funds until conditions favorable to their effective use are restored.



Issued January 15, 1915.

U. S. DEPARTMENT OF AGRICULTURE,
OFFICE OF EXPERIMENT STATIONS.

A. C. TRUE, DIRECTOR.

**FEDERAL LEGISLATION, REGULATIONS, AND RUL-
INGS AFFECTING AGRICULTURAL COLLEGES AND
EXPERIMENT STATIONS.**

[Revised to December 21, 1914.]

ACT OF 1862 DONATING LANDS FOR AGRICULTURAL COLLEGES.

[First Morrill Act.]

AN ACT Donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be granted to the several States, for the purposes hereinafter mentioned, an amount of public land, to be apportioned to each State a quantity equal to thirty thousand acres for each Senator and Representative in Congress to which the States are respectively entitled by the apportionment under the census of eighteen hundred and sixty: *Provided,* That no mineral lands shall be selected or purchased under the provisions of this act.

SEC. 2. *And be it further enacted,* That the land aforesaid, after being surveyed, shall be apportioned to the several States in sections or subdivisions of sections, not less than one-quarter of a section; and whenever there are public lands in a State subject to sale at private entry at one dollar and twenty-five cents per acre, the quantity to which said State shall be entitled shall be selected from such lands within the limits of such State, and the Secretary of the Interior is hereby directed to issue to each of the States in which there is not the quantity of public lands subject to sale at private entry at one dollar and twenty-five cents per acre to which said State may be entitled under the provisions of this act land scrip to the amount in acres for the deficiency of its distributive share; said scrip to be sold by said States and the proceeds thereof applied to the uses and purposes prescribed in this act and for no other use or purpose whatsoever: *Provided,* That in no case shall any State to which land scrip may thus be issued be allowed to locate the same within the limits of any other State or of any Territory of the United States, but their assignees may thus locate said land scrip upon any of the unappropriated lands of the United States subject to sale at private entry at one dollar and twenty-five cents, or less, per acre: *And provided further,* That not more than one million acres shall be located by such assignees in any one of the States: *And provided further,* That no such location shall be made before one year from the passage of this act.

SEC. 3. *And be it further enacted,* That all the expenses of management, superintendence, and taxes from date of selection of said lands, previous to their sales, and all expenses incurred in the management and disbursement of the moneys which

may be received therefrom, shall be paid by the States to which they may belong, out of the treasury of said States, so that the entire proceeds of the sale of said lands shall be applied without any diminution whatever to the purposes hereinafter mentioned.

SEC. 4 (original). *And be it further enacted*, That all moneys derived from the sale of the lands aforesaid by the States to which the lands are apportioned, and from the sales of land scrip hereinbefore provided for, shall be invested in stocks of the United States or of the States, or some other safe stocks, yielding not less than five per centum upon the par value of said stocks; and that the moneys so invested shall constitute a perpetual fund, the capital of which shall remain forever undiminished (except so far as may be provided in section five of this act), and the interest of which shall be inviolably appropriated by each State which may take and claim the benefit of this act, to the endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

SEC. 4 (as amended Mar. 3, 1883). That all moneys derived from the sale of lands aforesaid by the States to which lands are apportioned, and from the sales of land scrip hereinbefore provided for, shall be invested in stocks of the United States or of the States, or some other safe stocks; or the same may be invested by the States having no State stocks in any other manner after the legislatures of such States shall have assented thereto, and engaged that such funds shall yield not less than five per centum upon the amount so invested and that the principal thereof shall forever remain unimpaired: *Provided*, That the moneys so invested or loaned shall constitute a perpetual fund, the capital of which shall remain forever undiminished (except so far as may be provided in section five of this act), and the interest of which shall be inviolably appropriated, by each State which may take and claim the benefit of this act, to the endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

SEC. 5. *And be it further enacted*, That the grant of land and land scrip hereby authorized shall be made on the following conditions, to which, as well as to the provisions hereinbefore contained, the previous assent of the several States shall be signified by legislative acts:

First. If any portion of the fund invested, as provided by the foregoing section, or any portion of the interest thereon, shall, by any action or contingency, be diminished or lost, it shall be replaced by the State to which it belongs, so that the capital of the fund shall remain forever undiminished; and the annual interest shall be regularly applied without diminution to the purposes mentioned in the fourth section of this act, except that a sum, not exceeding ten per centum upon the amount received by any State under the provisions of this act, may be expended for the purchase of lands for sites or experimental farms whenever authorized by the respective legislatures of said States.

Second. No portion of said fund, nor the interest thereon, shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings.

Third. Any State which may take and claim the benefit of the provisions of this act shall provide, within five years, at least not less than one college, as described in the fourth section of this act, or the grant to such State shall cease; and said State shall

be bound to pay the United States the amount received of any lands previously sold and that the title to purchasers under the State shall be valid.

Fourth. An annual report shall be made regarding the progress of each college, recording any improvements and experiments made, with their cost and results, and such other matters, including State industrial and economical statistics, as may be supposed useful, one copy of which shall be transmitted by mail free, by each, to all the other colleges which may be endowed under the provisions of this act, and also one copy to the Secretary of the Interior.

Fifth. When lands shall be selected from those which have been raised to double the minimum price, in consequence of railroad grants, they shall be computed to the States at the maximum price and the number of acres proportionately diminished.

Sixth. No State while in a condition of rebellion or insurrection against the Government of the United States shall be entitled to the benefit of this act.

Seventh. No State shall be entitled to the benefits of this act unless it shall express its acceptance thereof by its legislature within two years from the date of its approval by the President.

SEC. 6. *And be it further enacted*, That land scrip issued under the provisions of this act shall not be subject to location until after the first day of January, one thousand eight hundred and sixty-three.

SEC. 7. *And be it further enacted*, That the land officers shall receive the same fees for locating land scrip issued under the provisions of this act as is now allowed for the location of military bounty land warrants under existing laws: *Provided*, That their maximum compensation shall not be thereby increased.

SEC. 8. *And be it further enacted*, That the governors of the several States to which scrip shall be issued under this act shall be required to report annually to Congress all sales made of such scrip until the whole shall be disposed of, the amount received for the same, and what appropriation has been made of the proceeds.

Approved, July 2, 1862 (12 Stat. L., 503).

ACT OF 1866 EXTENDING THE TIME WITHIN WHICH AGRICULTURAL COLLEGES MAY BE ESTABLISHED.

AN ACT To amend the fifth section of an act entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2, 1862, so as to extend the time within which the provisions of said act shall be accepted and such colleges established.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time in which the several States may comply with the provisions of the act of July second, eighteen hundred and sixty-two, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," is hereby extended so that the acceptance of the benefits of the said act may be expressed within three years from the passage of this act, and the colleges required by the said act may be provided within five years from the date of the filing of such acceptance with the Commissioner of the General Land Office: *Provided*, That when any Territory shall become a State and be admitted into the Union such new States shall be entitled to the benefits of the said act of July second, eighteen hundred and sixty-two, by expressing the acceptance therein required within three years from the date of its admission into the Union, and providing the college or colleges within five years after such acceptance, as prescribed in this act: *Provided further*, That any State which has heretofore expressed its acceptance of the act herein referred to shall have the period of five years within which to provide at least one college, as described in the fourth section of said act, after the time for providing said college, according to the act of July second, eighteen hundred and sixty-two, shall have expired.

Approved, July 23, 1866 (14 Stat. L., 208).

ACT OF 1890 FOR THE FURTHER ENDOWMENT OF AGRICULTURAL COLLEGES.

[Second Morrill Act.]

AN ACT To apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July second, eighteen hundred and sixty-two.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, arising from the sales of public lands, to be paid as hereinafter provided, to each State and Territory for the more complete endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts now established, or which may be hereafter established, in accordance with an act of Congress approved July second, eighteen hundred and sixty-two, the sum of fifteen thousand dollars for the year ending June thirtieth, eighteen hundred and ninety, and an annual increase of the amount of such appropriation thereafter for ten years by an additional sum of one thousand dollars over the preceding year, and the annual amount to be paid thereafter to each State and Territory shall be twenty-five thousand dollars, to be applied only to instruction in agriculture, the mechanic arts, the English language and the various branches of mathematical, physical, natural, and economic science, with special reference to their applications in the industries of life and to the facilities for such instruction: *Provided*, That no money shall be paid out under this act to any State or Territory for the support and maintenance of a college where a distinction of race or color is made in the admission of students, but the establishment and maintenance of such colleges separately for white and colored students shall be held to be a compliance with the provisions of this act if the funds received in such State or Territory be equitably divided as hereinafter set forth: *Provided*, That in any State in which there has been one college established in pursuance of the act of July second, eighteen hundred and sixty-two, and also in which an educational institution of like character has been established, or may be hereafter established, and is now aided by such State from its own revenue, for the education of colored students in agriculture and the mechanic arts, however named or styled, or whether or not it has received money heretofore under the act to which this act is an amendment, the legislature of such State may propose and report to the Secretary of the Interior a just and equitable division of the fund to be received under this act, between one college for white students and one institution for colored students, established as aforesaid, which shall be divided into two parts, and paid accordingly, and thereupon such institution for colored students shall be entitled to the benefits of this act and subject to its provisions, as much as it would have been if it had been included under the act of eighteen hundred and sixty-two, and the fulfillment of the foregoing provisions shall be taken as a compliance with the provision in reference to separate colleges for white and colored students.

SEC. 2. That the sums hereby appropriated to the States and Territories for the further endowment and support of colleges shall be annually paid on or before the thirty-first day of July of each year, by the Secretary of the Treasury, upon the warrant of the Secretary of the Interior, out of the Treasury of the United States, to the State or Territorial treasurer, or to such officer as shall be designated by the laws of such State or Territory to receive the same, who shall, upon the order of the trustees of the college or the institution for colored students, immediately pay over said sums to the treasurers of the respective colleges or other institutions entitled to receive the same, and such treasurers shall be required to report to the Secretary of Agriculture and to the Secretary of the Interior on or before the first day of September of each year a detailed statement of the amount so received and of its disbursement. The grants of moneys authorized by this act are made subject to the legislative assent

of the several States and Territories to the purpose of said grants: *Provided*, That payments of such installments of the appropriation herein made as shall become due to any State before the adjournment of the regular session of legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof, duly certified to the Secretary of the Treasury.

SEC. 3. That if any portion of the moneys received by the designated officer of the State or Territory for the further and more complete endowment, support, and maintenance of colleges, or of institutions for colored students, as provided in this act, shall, by any action of contingency, be dismissed or lost, or be misapplied, it shall be replaced by the State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory; and no portion of said moneys shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings. An annual report by the president of each of said colleges shall be made to the Secretary of Agriculture, as well as to the Secretary of the Interior, regarding the condition and progress of each college, including statistical information in relation to its receipts and expenditures, its library, the number of its students and professors, and also as to any improvements and experiments made under the direction of any experiment stations attached to said colleges, with their cost and results and such other industrial and economical statistics as may be regarded as useful, one copy of which shall be transmitted by mail free to all other colleges further endowed under this act.

SEC. 4. That on or before the first day of July in each year, after the passage of this act, the Secretary of the Interior shall ascertain and certify to the Secretary of the Treasury as to each State and Territory, whether it is entitled to receive its share of the annual appropriation for colleges, or of institutions for colored students, under this act and the amount which thereupon each is entitled, respectively, to receive. If the Secretary of the Interior shall withhold a certificate from any State or Territory of its appropriation, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the close of the next Congress, in order that the State or Territory may, if it should so desire, appeal to Congress from the determination of the Secretary of the Interior. If the next Congress shall not direct such sum to be paid it shall be covered into the Treasury. And the Secretary of the Interior is hereby charged with the proper administration of this law.

SEC. 5. That the Secretary of the Interior shall annually report to Congress the disbursements which have been made in all the States and Territories, and also whether the appropriation of any State or Territory has been withheld, and, if so, the reasons therefor.

SEC. 6. Congress may at any time amend, suspend, or repeal any or all of the provisions of this act.

Approved, August 30, 1890 (26 Stat. L., 417).

**CLAUSE IN ACT MAKING APPROPRIATIONS FOR THE UNITED STATES
DEPARTMENT OF AGRICULTURE FOR THE FISCAL YEAR ENDING
JUNE 30, 1908, FOR THE FURTHER ENDOWMENT OF AGRICUL-
TURAL COLLEGES.**

[Nelson amendment.]

* * * That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, to be paid as hereinafter provided, to each State and Territory for the more complete endowment and maintenance of agricultural colleges now established, or which may hereafter be established, in accordance with the act of Congress approved July second, eighteen hundred and

sixty-two, and the act of Congress approved August thirtieth, eighteen hundred and ninety, the sum of five thousand dollars, in addition to the sums named in the said act, for the fiscal year ending June thirtieth, nineteen hundred and eight, and an annual increase of the amount of such appropriation thereafter for four years by an additional sum of five thousand dollars over the preceding year, and the annual sum to be paid thereafter to each State and Territory shall be fifty thousand dollars, to be applied only for the purposes of the agricultural colleges as defined and limited in the act of Congress approved July second, eighteen hundred and sixty-two, and the act of Congress approved August thirtieth, eighteen hundred and ninety:

That the sum hereby appropriated to the States and Territories for the further endowment and support of the colleges shall be paid by, to, and in the manner prescribed by the act of Congress approved August thirtieth, eighteen hundred and ninety, entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July second, eighteen hundred and sixty-two," and the expenditure of the said money shall be governed in all respects by the provisions of the said act of Congress approved July second, eighteen hundred and sixty-two, and the said act of Congress approved August thirtieth, eighteen hundred and ninety: *Provided*, That said colleges may use a portion of this money for providing courses for the special preparation of instructors for teaching the elements of agriculture and the mechanic arts.

Approved, March 4, 1907 (34 Stat. L., 1256, 1281).

ACTS OF 1888 AND 1891 PROVIDING FOR DETAIL OF UNITED STATES ARMY AND NAVY OFFICERS TO THE LAND-GRANT COLLEGES.

[Act of 1888.]

AN ACT To amend section twelve hundred and twenty-five of the Revised Statutes, concerning details of officers of the Army and Navy to educational institutions, and so forth.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section twelve hundred and twenty-five of the Revised Statutes of the United States, as amended by an act of Congress approved July fifth, eighteen hundred and eighty-four, be, and the same is hereby, further amended, so as to read as follows:

"SEC. 1225. The President may, upon the application of any established military institute, seminary or academy, college or university, within the United States having capacity to educate at the same time not less than one hundred and fifty male students, detail an officer of the Army or Navy to act as superintendent or professor thereof; but the number of officers so detailed shall not exceed fifty from the Army and ten from the Navy, being a maximum of sixty, at any time, and they shall be apportioned throughout the United States, first, to those State institutions applying for such detail that are required to provide instruction in military tactics under the provisions of the act of Congress of July second, eighteen hundred and sixty-two, donating lands for the establishment of colleges where the leading object shall be the practical instruction of the industrial classes in agriculture and the mechanic arts, including military tactics; and after that, said details to be distributed, as nearly as may be practicable, according to population. The Secretary of War is authorized to issue, at his discretion and under proper regulations to be prescribed by him, out of ordnance and ordnance stores belonging to the Government, and which can be spared for that purpose, such number of the same as may appear to be required for military instruction and practice by the students of any college or university under the provisions of this section, and the Secretary shall require a bond in each case, in double

the value of the property, for the care and safe-keeping thereof and for the return of the same when required: *Provided*, That nothing in this act shall be so construed as to prevent the detail of officers of the Engineer Corps of the Navy as professors in scientific schools or colleges as now provided by act of Congress approved February twenty-six, eighteen hundred and seventy-nine, entitled 'An act to promote a knowledge of steam engineering and iron-ship building among the students of scientific schools or colleges in the United States'; and the Secretary of War is hereby authorized to issue ordnance and ordnance stores belonging to the Government on the terms and conditions hereinbefore provided to any college or university at which a retired officer of the Army may be assigned as provided by section twelve hundred and sixty of the Revised Statutes.

"SEC. 2. That the said section twelve hundred and twenty-five of the Revised Statutes of the United States, as amended by the said act of Congress approved July fifth, eighteen hundred and eighty-four, and all acts and parts of acts inconsistent or in conflict with the provisions of this act be, and the same are hereby, repealed, saving always, however, all acts and things done under the said amended section as heretofore existing."

Approved, September 26, 1888 (25 Stat. L., 491).

[Act of 1891.]

AN ACT To amend section twelve hundred and twenty-five of the Revised Statutes, concerning details of officers of the Army and Navy to educational institutions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section twelve hundred and twenty-five of the Revised Statutes, concerning details of officers of the Army and Navy to educational institutions, be, and the same is hereby, amended so as to permit the President to detail under the provisions of said act, not to exceed seventy-five officers of the Army of the United States; and the maximum number of officers of the Army and Navy to be detailed at any one time under the provisions of the act passed September twenty-sixth, eighteen hundred and eighty-eight, amending said section twelve hundred and twenty-five of the Revised Statutes, is hereby increased to eighty-five: *Provided*, That no officer shall be detailed to or maintained at any of the educational institutions mentioned in said act where instruction and drill in military tactics is not given: *Provided further*, That nothing in this act shall be so construed as to prevent the detail of officers of the Engineer Corps of the Navy as professors in scientific schools or colleges as now provided by act of Congress approved February twenty-sixth, eighteen hundred and seventy-nine, entitled "An act to promote a knowledge of steam engineering and iron-ship building among the students of scientific schools or colleges in the United States."

Approved, January 13, 1891 (26 Stat. L., 716).

EXTRACT FROM ACT OF 1914 PERMITTING SALES BY THE SUPPLY DEPARTMENTS OF THE ARMY TO CERTAIN MILITARY SCHOOLS AND COLLEGES.

Under such regulations as the Secretary of War may prescribe, educational institutions to which an officer of the Army is detailed as professor of military science and tactics may purchase from the War Department for cash, for the use of their military students, such stores, supplies, matériel of war, and military publications as are furnished to the Army, such sales to be at the price listed to the Army, with the cost of transportation added.

Approved, July 17, 1914.

CLAUSE IN ACT PROVIDING FOR THE PRINTING, BINDING, AND DISTRIBUTION OF PUBLIC DOCUMENTS CONSTITUTING THE LAND-GRANT COLLEGES DEPOSITORIES.

“All land-grant colleges shall be constituted as depositories for public documents, subject to the provisions and limitations of the depository laws.”

Approved, March 1, 1907:

ACT OF 1887 ESTABLISHING AGRICULTURAL EXPERIMENT STATIONS.

[Hatch Act.]

AN ACT To establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to aid in acquiring and diffusing among the people of the United States useful and practical information on subjects connected with agriculture, and to promote scientific investigation and experiment respecting the principles and applications of agricultural science, there shall be established under direction of the college or colleges or agricultural department of colleges in each State or Territory established, or which may hereafter be established, in accordance with the provisions of an act approved July second, eighteen hundred and sixty-two, entitled “An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts,” or any of the supplements to said act, a department to be known and designated as an “agricultural experiment station”: *Provided*, That in any State or Territory in which two such colleges have been or may be so established the appropriation hereinafter made to such State or Territory shall be equally divided between such colleges, unless the legislature of such State or Territory shall otherwise direct.

SEC. 2. That it shall be the object and duty of said experiment stations to conduct original researches or verify experiments on the physiology of plants and animals; the diseases to which they are severally subject, with the remedies of the same; the chemical composition of useful plants at their different stages of growth; the comparative advantages of rotative cropping as pursued under the varying series of crops; the capacity of new plants or trees for acclimation; the analysis of soils and water; the chemical composition of manures, natural or artificial, with experiments designed to test the comparative effects on crops of different kinds; the adaptation and value of grasses and forage plants; the composition and digestibility of the different kinds of food for domestic animals; the scientific and economic questions involved in the production of butter and cheese; and such other researches or experiments bearing directly on the agricultural industry of the United States as may in each case be deemed advisable, having due regard to the varying conditions and needs of the respective States or Territories.

SEC. 3. That in order to secure, as far as practicable, uniformity of methods and results in the work of said stations. it shall be the duty of the United States Commissioner [now Secretary] of Agriculture to furnish forms, as far as practicable, for the tabulation of results of investigation or experiments; to indicate from time to time such lines of inquiry as to him shall seem most important, and, in general, to furnish such advice and assistance as will best promote the purpose of this act. It shall be the duty of each of said stations annually, on or before the first of February, to make to the governor of the State or Territory in which it is located a full and detailed report of its operations, including a statement of receipts and expenditures, a copy of which report shall be sent to each of said stations, to the said Commissioner [now Secretary] of Agriculture, and to the Secretary of the Treasury of the United States.

SEC. 4. That bulletins or reports of progress shall be published at said stations at least once in three months, one copy of which shall be sent to each newspaper in the States or Territories in which they are respectively located, and to such individuals actually engaged in farming as may request the same and as far as the means of the station will permit. Such bulletins or reports and the annual reports of said stations shall be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General may from time to time prescribe.

SEC. 5. That for the purpose of paying the necessary expenses of conducting investigations and experiments and printing and distributing the results as hereinbefore prescribed, the sum of fifteen thousand dollars per annum is hereby appropriated to each State, to be specially provided for by Congress in the appropriations from year to year, and to each Territory entitled under the provisions of section eight of this act, out of any money in the Treasury proceeding from the sales of public lands, to be paid in equal quarterly payments on the first day of January, April, July, and October in each year, to the treasurer or other officer duly appointed by the governing boards of said colleges to receive the same, the first payment to be made on the first day of October, eighteen hundred and eighty-seven: *Provided, however.* That out of the first annual appropriation so received by any station an amount not exceeding one-fifth may be expended in the erection, enlargement, or repair of a building or buildings necessary for carrying on the work of such station; and thereafter an amount not exceeding five per centum of such annual appropriation may be so expended.

SEC. 6. That whenever it shall appear to the Secretary of the Treasury from the annual statement of receipts and expenditures of any of said stations that a portion of the preceding annual appropriation remains unexpended, such amount shall be deducted from the next succeeding annual appropriation to such station, in order that the amount of money appropriated to any station shall not exceed the amount actually and necessarily required for its maintenance and support.

SEC. 7. That nothing in this act shall be construed to impair or modify the legal relation existing between any of the said colleges and the government of the States or Territories in which they are respectively located.

SEC. 8. That in States having colleges entitled under this section to the benefits of this act and having also agricultural experiment stations established by law separate from said colleges, such States shall be authorized to apply such benefits to experiments at stations so established by such States; and in case any State shall have established, under the provisions of said act of July second aforesaid, an agricultural department or experimental station in connection with any university, college, or institution not distinctly an agricultural college or school, and such State shall have established or shall hereafter establish a separate agricultural college or school, which shall have connected therewith an experimental farm or station, the legislature of such State may apply in whole or in part the appropriation by this act made to such separate agricultural college or school, and no legislature shall by contract, express or implied, disable itself from so doing.

SEC. 9. That the grants of moneys authorized by this act are made subject to the legislative assent of the several States and Territories to the purposes of said grants: *Provided,* That payment of such installments of the appropriation herein made as shall become due to any State before the adjournment of the regular session of its legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof duly certified to the Secretary of the Treasury.

SEC. 10. Nothing in this act shall be held or construed as binding the United States to continue any payments from the Treasury to any or all the States or institutions mentioned in this act, but Congress may at any time amend, suspend, or repeal any or all the provisions of this act.

Approved, March 2, 1887 (24 Stat. L., 440).

ACT OF 1888 AMENDING (HATCH) ACT OF 1887.

AN ACT To amend an act entitled "An act to establish agricultural stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and the acts supplementary thereto."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grant of money authorized by the act of Congress entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of acts supplementary thereto," are subject as therein provided to the legislative assent of the States or Territories to be affected thereby; but as to such installments of the appropriations as may be now due or may hereafter become due, when the legislature may not be in session, the governor of said State or Territory may make the assent therein provided, and upon a duly certified copy thereof to the Secretary of the Treasury he shall cause the same to be paid in the manner provided in the act of which this is amendatory, until the termination of the next regular session of the legislature of such State or Territory.

Approved, June 7, 1888 (25 Stat. L., 176).

PROVISO IN ACT MAKING APPROPRIATIONS FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE FISCAL YEAR ENDING JUNE 30, 1890, FURTHER DEFINING WORK OF STATIONS ESTABLISHED UNDER ACT OF MARCH 2, 1887 (HATCH ACT).

That, as far as practicable, all such stations shall devote a portion of their work to the examination and classification of soils of their respective States and Territories, with a view to securing more extended knowledge and better development of their agricultural capabilities.

Approved, March 2, 1889 (25 Stat. L., 841).

ACT OF 1906 FOR THE FURTHER ENDOWMENT OF AGRICULTURAL EXPERIMENT STATIONS.

[Adams Act.]

AN ACT To provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, to be paid as hereinafter provided, to each State and Territory, for the more complete endowment and maintenance of agricultural experiment stations now established or which may hereafter be established in accordance with the act of Congress approved March second, eighteen hundred and eighty-seven, the sum of five thousand dollars in addition to the sum named in said act for the year ending June thirtieth, nineteen hundred and six, and an annual increase of the amount of such appropriation thereafter for five years by an additional sum of two thousand dollars over the preceding year, and the annual amount to be paid thereafter to each State or Territory shall be thirty thousand dollars, to be applied only to paying the necessary expenses of conducting original researches or experiments bearing directly on the agricultural industry of the United States, having due regard to the varying conditions and needs of the respective States or Territories.

SEC. 2. That the sums hereby appropriated to the States and Territories for the further endowment and support of agricultural experiment stations shall be annually paid in equal quarterly payments on the first day of January, April, July, and October of each year by the Secretary of the Treasury, upon the warrant of the Secretary of Agriculture, out of the Treasury of the United States, to the treasurer or other

officer duly appointed by the governing boards of said experiment stations to receive the same, and such officers shall be required to report to the Secretary of Agriculture on or before the first day of September of each year a detailed statement of the amount so received and of its disbursement, on schedules prescribed by the Secretary of Agriculture. The grants of money authorized by this act are made subject to legislative assent of the several States and Territories to the purpose of said grants: *Provided*, That payment of such installments of the appropriation herein made as shall become due to any State or Territory before the adjournment of the regular session of legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof, duly certified by the Secretary of the Treasury.

SEC. 3. That if any portion of the moneys received by the designated officer of any State or Territory for the further and more complete endowment, support, and maintenance of agricultural experiment stations as provided in this act shall by any action or contingency be diminished or lost or be misapplied, it shall be replaced by said State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory; and no portion of said moneys exceeding five per centum of each annual appropriation shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings, or to the purchase or rental of land. It shall be the duty of each of said stations annually, on or before the first day of February, to make to the governor of the State or Territory in which it is located a full and detailed report of its operations, including a statement of receipts and expenditures, a copy of which report shall be sent to each of said stations, to the Secretary of Agriculture, and to the Secretary of the Treasury of the United States.

SEC. 4. That on or before the first day of July in each year after the passage of this act the Secretary of Agriculture shall ascertain and certify to the Secretary of the Treasury as to each State and Territory whether it is complying with the provisions of this act and is entitled to receive its share of the annual appropriation for agricultural experiment stations under this act and the amount which thereupon each is entitled, respectively, to receive. If the Secretary of Agriculture shall withhold a certificate from any State or Territory of its appropriation, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the close of the next Congress, in order that the State or Territory may, if it shall so desire, appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury; and the Secretary of Agriculture is hereby charged with the proper administration of this law.

SEC. 5. That the Secretary of Agriculture shall make an annual report to Congress on the receipts and expenditures and work of the agricultural experiment stations in all of the States and Territories, and also whether the appropriation of any State or Territory has been withheld, and if so, the reason therefor.

SEC. 6. That Congress may at any time amend, suspend, or repeal any or all of the provisions of this act.

Approved, March 16, 1906 (34 Stat. L., 63).

**CLAUSE IN ACT MAKING APPROPRIATIONS FOR THE UNITED STATES
DEPARTMENT OF AGRICULTURE FOR THE FISCAL YEAR ENDING
JUNE 30, 1907, INTERPRETING THE ACT OF MARCH 16, 1906 (ADAMS
ACT).**

The act of Congress approved March sixteenth, nineteen hundred and six, entitled "An act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof," shall be construed to appropriate for each station the sum of five thousand dollars for the fiscal year end-

ing June thirtieth, nineteen hundred and six, the sum of seven thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and seven, the sum of nine thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and eight, the sum of eleven thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and nine, the sum of thirteen thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and ten, and the sum of fifteen thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and eleven. The sum of five thousand dollars appropriated for the fiscal year nineteen hundred and six shall be paid on or before June thirtieth, nineteen hundred and six, and the amounts appropriated for the subsequent years shall be paid as provided in the said act to each State and Territory for the more complete endowment and maintenance of agricultural experiment stations now established or which may hereafter be established in accordance with the act of Congress approved March second, eighteen hundred and eighty-seven.

Approved, June 30, 1906 (34 Stat. L., 669, 696).

ACT OF 1914 PROVIDING FOR COOPERATIVE EXTENSION WORK.

[Smith-Lever Act.]

AN ACT To provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July second, eighteen hundred and sixty-two, and of acts supplementary thereto, and the United States Department of Agriculture.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to aid in diffusing among the people of the United States useful and practical information on subjects relating to agriculture and home economics, and to encourage the application of the same, there may be inaugurated in connection with the college or colleges in each State now receiving, or which may hereafter receive, the benefits of the act of Congress approved July second, eighteen hundred and sixty-two, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts" (Twelfth Statutes at Large, page five hundred and three), and of the act of Congress approved August thirtieth, eighteen hundred and ninety (Twenty-sixth Statutes at Large, page four hundred and seventeen and chapter eight hundred and forty-one), agricultural extension work which shall be carried on in cooperation with the United States Department of Agriculture: *Provided*, That in any State in which two or more such colleges have been or hereafter may be established the appropriations hereinafter made to such State shall be administered by such college or colleges as the legislature of such State may direct: *Provided further*, That, pending the inauguration and development of the cooperative extension work herein authorized, nothing in this act shall be construed to discontinue either the farm management work or the farmers' cooperative demonstration work as now conducted by the Bureau of Plant Industry of the Department of Agriculture.

SEC. 2. That cooperative agricultural extension work shall consist of the giving of instruction and practical demonstrations in agriculture and home economics to persons not attending or resident in said colleges in the several communities, and imparting to such persons information on said subjects through field demonstrations, publications, and otherwise; and this work shall be carried on in such manner as may be mutually agreed upon by the Secretary of Agriculture and the State agricultural college or colleges receiving the benefits of this act.

SEC. 3. That for the purpose of paying the expenses of said cooperative agricultural extension work and the necessary printing and distributing of information in connection with the same, there is permanently appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$480,000 for each year, \$10,000 of which shall be paid annually, in the manner hereinafter provided, to each State

which shall by action of its legislature assent to the provisions of this act: *Provided*, That payment of such installments of the appropriation hereinbefore made as shall become due to any State before the adjournment of the regular session of the legislature meeting next after the passage of this act may, in the absence of prior legislative assent, be made upon the assent of the governor thereof, duly certified to the Secretary of the Treasury: *Provided further*, That there is also appropriated an additional sum of \$600,000 for the fiscal year following that in which the foregoing appropriation first becomes available, and for each year thereafter for seven years a sum exceeding by \$500,000 the sum appropriated for each preceding year, and for each year thereafter there is permanently appropriated for each year the sum of \$4,100,000 in addition to the sum of \$480,000 hereinbefore provided: *Provided further*, That before the funds herein appropriated shall become available to any college for any fiscal year plans for the work to be carried on under this act shall be submitted by the proper officials of each college and approved by the Secretary of Agriculture. Such additional sums shall be used only for the purposes hereinbefore stated, and shall be allotted annually to each State by the Secretary of Agriculture and paid in the manner hereinbefore provided, in the proportion which the rural population of each State bears to the total rural population of all the States as determined by the next preceding Federal census: *Provided further*, That no payment out of the additional appropriations herein provided shall be made in any year to any State until an equal sum has been appropriated for that year by the legislature of such State, or provided by State, county, college, local authority, or individual contributions from within the State, for the maintenance of the cooperative agricultural extension work provided for in this act.

SEC. 4. That the sums hereby appropriated for extension work shall be paid in equal semiannual payments on the first day of January and July of each year by the Secretary of the Treasury upon the warrant of the Secretary of Agriculture, out of the Treasury of the United States, to the treasurer or other officer of the State duly authorized by the laws of the State to receive the same; and such officer shall be required to report to the Secretary of Agriculture, on or before the first day of September of each year, a detailed statement of the amount so received during the previous fiscal year, and of its disbursement, on forms prescribed by the Secretary of Agriculture.

SEC. 5. That if any portion of the moneys received by the designated officer of any State for the support and maintenance of cooperative agricultural extension work, as provided in this act, shall by any action or contingency be diminished or lost or be misapplied, it shall be replaced by said State to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to said State, and no portion of said moneys shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings, or the purchase or rental of land, or in college-course teaching, lectures in colleges, promoting agricultural trains, or any other purpose not specified in this act, and not more than five per centum of each annual appropriation shall be applied to the printing and distribution of publications. It shall be the duty of each of said colleges annually, on or before the first day of January, to make to the governor of the State in which it is located a full and detailed report of its operations in the direction of extension work as defined in this act, including a detailed statement of receipts and expenditures from all sources for this purpose, a copy of which report shall be sent to the Secretary of Agriculture and to the Secretary of the Treasury of the United States.

SEC. 6. That on or before the first day of July in each year after the passage of this act the Secretary of Agriculture shall ascertain and certify to the Secretary of the Treasury as to each State whether it is entitled to receive its share of the annual appropriation for cooperative agricultural extension work under this act, and the amount which it is entitled to receive. If the Secretary of Agriculture shall withhold a certificate from any State of its appropriation, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate

in the Treasury until the expiration of the Congress next succeeding a session of the legislature of any State from which a certificate has been withheld, in order that the State may, if it should so desire, appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury.

SEC. 7. That the Secretary of Agriculture shall make an annual report to Congress of the receipts, expenditures, and results of the cooperative agricultural extension work in all of the States receiving the benefits of this act, and also whether the appropriation of any State has been withheld, and if so, the reasons therefor.

SEC. 8. That Congress may at any time alter, amend, or repeal any or all of the provisions of this act.

Approved, May 8, 1914.

FRANKING PRIVILEGE IN CONNECTION WITH THE SMITH-LEVER ACT.

[Extract from act making appropriations for the United States Department of Agriculture for the fiscal year ending June 30, 1915.]

All correspondence, bulletins, and reports for the furtherance of the purposes of the act approved May eighth, nineteen hundred and fourteen, entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July second, eighteen hundred and sixty-two, and the acts supplementary thereto, and the United States Department of Agriculture," may be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General, from time to time, may prescribe, by such college officer or other person connected with the extension department of such college as the Secretary of Agriculture may designate to the Postmaster General.

ORDER (NO. 8547) OF THE POSTMASTER GENERAL REGARDING THE FRANKING PRIVILEGE UNDER THE SMITH-LEVER ACT.

[Approved Dec. 21, 1914.]

The Postal Laws and Regulations, edition of 1913, are amended by the addition of the following as section 504½:

504½. All correspondence, bulletins, and reports for the furtherance of the purpose of the act approved May 8, 1914 (see paragraph 2 of this section), entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and the acts supplementary thereto, and the United States Department of Agriculture," may be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General from time to time may prescribe, by such college officer or other person connected with the extension department of such college as the Secretary of Agriculture may designate to the Postmaster General. (Act of June 30, 1914.)

2. There may be inaugurated in connection with the college or colleges in each State now receiving, or which may hereafter receive, the benefits of the act of Congress approved July 2, 1862 * * * (12 Stat., 503), and the act of Congress approved August 30, 1890 (26 Stat., 417), agricultural extension work which shall be carried on in cooperation with the United States Department of Agriculture. * * * Cooperative agricultural extension work shall consist of the giving of instruction and practical demonstrations in agriculture and home economics to persons not attending or resident in said colleges in the several communities, and imparting to such persons information on said subjects through field demonstrations, publications, and otherwise. (Act of May 8, 1914.)

3. Upon designation to the Postmaster General by the Secretary of Agriculture of a college officer or other person connected with the extension department of a State agricultural college receiving the benefits of the act of July 2, 1862, and the acts supplementary thereto, by whom the correspondence, bulletins, and reports mentioned in paragraph 1 of this section are to be transmitted, the Third Assistant Postmaster General shall authorize the postmaster at the post office where the extension department of such college is located to accept from the officer or person so designated such correspondence, bulletins, and reports for free transmission in the mails.

4. In the upper left corner of the envelope or wrapper containing such correspondence, bulletins, or reports shall be printed over the words "Free—Co-operative Agricultural Extension Work—Acts of May 8 and June 30, 1914," the name of the agricultural college and the name of the post office at which the matter is to be accepted free, followed by the name and title of the college officer or person designated to transmit such matter, and in the upper right corner the words "Penalty for private use to avoid payment of postage, \$300." The designated college officer or person is not authorized to furnish such envelopes for use as return envelopes by individuals or concerns from whom replies are requested.

5. Only such correspondence, bulletins, and reports as are for the furtherance of the purposes of the act of May 8, 1914, set forth in paragraph 2 of this section, and are mailed at the authorized post office by the college officer or other person duly designated may be transmitted free under the provisions of this section. All such correspondence, etc., to be entitled to free transmission, must be conducted under the name of such designated college officer or person. Correspondence with autograph signature may be mailed sealed, but all other matter shall be presented unsealed.

6. When in doubt as to whether any particular matter presented for mailing under the provisions of this section is entitled to be transmitted free, the postmaster shall submit a sample to the Third Assistant Postmaster General, Division of Classification, and pending decision may dispatch the matter if the sender makes a deposit to cover the postage at the proper rate. The deposit will be refunded if the matter is held to be entitled to free transmission.

INSTRUCTIONS FOR THE USE OF THE PENALTY ENVELOPES OR FRANKS OF THE UNITED STATES DEPARTMENT OF AGRICULTURE BY FIELD EMPLOYEES ENGAGED IN EXTENSION WORK AND HOLDING APPOINTMENTS FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE.

[Approved by the Secretary of Agriculture, under date of December 4, 1914.]

The following instructions, supplementary to the law and postal regulations, relative to the use of the penalty envelopes or franks of the United States Department of Agriculture, should be strictly observed by all employees engaged in extension work who receive any part or all of their salary by appointment from the United States Department of Agriculture.

The use of the mails free of charge is a privilege which must be used cautiously and in strict compliance with the postal regulations, under penalty of the law if misused. The salary paid from the United States Department of Agriculture, whether large or small, carries with it the right to use the frank or penalty envelope only on "matters relating exclusively to the business of the Government of the United States" for which appointment from the United States Department of Agriculture is made.

The fact that the agent who receives a part of his salary from the department is also engaged in extension work under the general cooperative agreement with the State agricultural college does not give him the right to use the department frank for all extension business. His use of the frank must be confined to those extension enterprises which are covered by the terms of his commission from the department and the projects in which the department funds are used.

The official penalty envelope, post card, or tag may be lawfully used in the following cases:

1. *In official correspondence with the United States Department of Agriculture.*—All correspondence addressed to the United States Department of Agriculture pertaining to the work for which the employee received his Federal appointment may be conducted in penalty envelopes. All such letters should be inclosed in envelopes addressed to the office through which the Federal appointment was made. Such letters must relate entirely to the official public business covered by the appointment which may include the sending in of reports, requests for information, requests for bulletins and supplies and other material needed in the work, and responses to inquiries made by officials of the department.

2. *Correspondence with supervising agents, leaders or directors within the State, and with other field employees holding appointments from the United States Department of Agriculture and engaged in similar work.*—All such correspondence must relate entirely to the official business for which the employee was appointed by the United States Department of Agriculture.

3. *Correspondence with farmers and other persons.*—Penalty envelopes may be used to transmit through the mails letters of instruction to farmers engaged in carrying on demonstrations, notices of meetings to be held in furtherance of the work for which the agent received his Federal appointment, notices of field meetings, and special demonstrations. All such correspondence should relate either to the giving of information to farmers or their families relative to demonstrations conducted under the supervision of the agent, and advice to farmers in answer to their inquiries, or of instruction to farmers and their families regarding some feature of agriculture or home economics taken up by the agent in furtherance of the work for which he was employed by the department.

They may be used to call the attention of the farmers to general farmers' meetings held in furtherance of the work for which the agent was employed, but shall not be used to send out notices of meetings of organizations of farmers and business men or indiscriminate announcements of farmers' meetings. In no case should penalty envelopes be used for the purpose of relieving organizations from paying postage on matter issued by the organizations and which is therefore properly chargeable with postage.

4. Penalty envelopes must not be used in sending for catalogues, price lists, seeds, implements, fertilizers, etc., for farmers, or in seeking markets for products of private farms.

5. A return penalty envelope may be sent out to farmers and other persons from whom information is desired, provided such information is to be used in furtherance of the work for which the agent received his Federal appointment. Such use of the penalty envelopes should be made with great caution for fear of the abuse of the privilege by uninstructed individuals. County agents should not send out circular letters of inquiry in penalty envelopes unless they are instructed to do so by their State leader, who should send to the department copies of all such letters which he has approved.

6. In all franked correspondence agents should use either department letterheads or letterheads approved by the department which clearly indicate the participation of the United States Department of Agriculture in the cooperative work undertaken by the agent. Do not use private letterheads or letterheads containing any advertising matter. Letterheads of the agricultural colleges which do not show the cooperation with the United States Department of Agriculture in the work, and which have not been approved by the department, should not be used.

7. No private matter whatever should be included in any letter sent under frank; the entire letter should relate exclusively to the business for which the employee received his Federal appointment. Agents should not use official letterheads or envelopes for personal correspondence even though postage is affixed. Letters or circulars sent under frank must not be signed by any person except the authorized agent of the Department of Agriculture, who must affix his official title and headquarters.

8. *Printed matter.*—Penalty envelopes of the United States Department of Agriculture may be used by agents in distributing bulletins and circulars published by the United States Department of Agriculture. Bulletins and circulars published by any agricultural college or experiment station may be sent in United States Department of Agriculture penalty envelopes only in cases where such publications contain valuable information on agriculture or home economics which the agent of the department desires to furnish to particular persons who have made inquiry of him for such information or to persons with whom the agent is conducting some demonstration or other special work. Such bulletins or circulars should generally be accompanied by a letter. Penalty envelopes must not be used for general distribution of bulletins and circulars of the colleges, stations, or other organizations unless specific instructions covering particular publications have been received from the department. Where miscellaneous requests for bulletins of colleges or stations or other public institutions are received the request should be forwarded to the proper authority.

Newspapers, clippings, magazines, and other printed matter which contain articles about the work of the agents may be transmitted to the supervising agents of the department under frank, but should be accompanied by a letter of transmittal clearly showing that the printed matter is sent in for the purpose of advising the officer to whom it is directed.

9. *No matter containing commercial, religious, or political announcements or advertisements should ever be sent in penalty envelopes*, except in cases where a request is made by an official of the department that the agent send in such pamphlets or printed matter.

10. In the case of agents employed in conducting boys' and girls' club work the penalty envelopes can be used only in furtherance of such club work as is directly fostered or promoted by the United States Department of Agriculture.

11. No letters or printed matter soliciting funds for the support of any association or other organization should be sent in penalty envelopes.

For all other business and in all cases of doubt do not use penalty envelopes, but pay the postage. Resolve all questions of doubt against the right to use the frank, or submit particular cases to the head of the office through which the Federal appointment was made for decision.

AMOUNTS AVAILABLE TO THE STATES UNDER THE SMITH-LEVER ACT.

The appended table shows the maximum amounts which the several States will be eligible to receive under the Smith-Lever Act, which provides for cooperative agricultural extension work between the States and the United States Department of Agriculture.

As the table shows, the act makes available for the next nine fiscal years an aggregate sum of \$23,120,000 of Federal funds. To obtain this total, the States must appropriate for like purposes a total of \$18,800,000, making a grand total of \$41,920,000 to be expended during the next nine fiscal years. Thereafter the Federal Government is to appropriate \$4,580,000 annually, and the States, to take their full quota, must appropriate \$4,100,000 annually, making a total annual expenditure for this purpose of \$8,680,000.

Maximum amounts of Federal funds which the States would be eligible to receive under the Smith-Lever act for cooperative agricultural extension work.

State.	Fiscal year 1914-15.		1915-16	1916-17	1917-18, 1918-19, 1919-20, ¹ 1920-21, 1921-22	1922-23, and thereafter.
	Per cent that rural popula- tion of State bears to total rural popula- tion. ¹	Amount each State will receive.	Maximum amount each State is enti- tled to receive.	Maximum amount each State is enti- tled to receive.	For the above fiscal years, add each year the amount given below to the total for the immediately precedding year.	For fiscal year 1922-23 and there- after.
Alabama.....	3.58	\$10,000	\$31,493	\$49,404	\$17,911	\$156,870
Arizona.....	.29	10,000	11,717	13,147	1,431	21,730
Arkansas.....	2.78	10,000	26,680	40,580	13,900	123,980
California.....	1.84	10,000	21,039	30,236	9,198	85,424
Colorado.....	.80	10,000	14,795	18,789	3,995	42,759
Connecticut.....	.232	10,000	11,398	12,563	1,165	19,554
Delaware.....	.213	10,000	11,281	12,347	1,067	18,749
Florida.....	1.08	10,000	16,491	21,898	5,408	54,345
Georgia.....	4.19	10,000	35,174	56,151	20,978	182,020
Idaho.....	.52	10,000	13,110	15,702	2,592	31,254
Illinois.....	4.38	10,000	36,282	58,184	21,902	189,596
Indiana.....	3.16	10,000	28,943	44,729	15,786	139,442
Iowa.....	3.13	10,000	28,794	44,456	15,662	138,428
Kansas.....	2.43	10,000	24,556	36,686	12,130	109,466
Kentucky.....	3.51	10,000	31,088	48,660	17,573	154,103
Louisiana.....	2.35	10,000	24,094	35,839	11,745	106,309
Maine.....	.731	10,000	14,389	18,047	3,657	39,991
Maryland.....	1.29	10,000	17,748	24,203	6,456	62,936
Massachusetts...	.49	10,000	12,922	15,374	2,443	30,029
Michigan.....	3.00	10,000	28,002	43,005	15,002	133,016
Minnesota.....	2.48	10,000	24,899	37,315	12,416	111,811
Mississippi.....	3.22	10,000	29,330	45,438	16,108	142,086
Missouri.....	3.84	10,000	33,036	52,232	19,196	167,411
Montana.....	.491	10,000	12,952	15,412	2,460	30,172
Nebraska.....	1.79	10,000	20,728	29,668	8,940	83,308
Nevada.....	.14	10,000	10,834	11,529	695	15,699
New Hampshire...	.36	10,000	12,133	13,909	1,777	24,572
New Jersey.....	1.28	10,000	17,660	24,043	6,383	62,341
New Mexico.....	.57	10,000	13,414	16,259	2,845	33,329
New York.....	3.90	10,000	33,443	52,979	19,536	170,195
North Carolina..	3.82	10,000	32,953	52,081	19,127	166,846
North Dakota...	1.04	10,000	16,236	21,431	5,196	52,607
Ohio.....	4.26	10,000	35,557	56,855	21,297	184,640
Oklahoma.....	2.71	10,000	26,256	39,802	13,547	121,081
Oregon.....	.741	10,000	14,442	18,144	3,701	40,352
Pennsylvania...	6.15	10,000	46,893	77,637	30,744	262,101
Rhode Island...	.04	10,000	10,220	10,402	183	11,497
South Carolina..	2.61	10,000	25,691	38,768	13,076	117,223
South Dakota...	1.03	10,000	16,167	21,308	5,140	52,148
Tennessee.....	3.53	10,000	31,202	48,870	17,668	154,878
Texas.....	5.99	10,000	45,970	75,945	29,975	255,795
Utah.....	.41	10,000	12,438	14,468	2,031	26,655
Vermont.....	.38	10,000	12,275	14,170	1,896	25,543
Virginia.....	3.21	10,000	29,267	45,323	16,056	141,659
Washington.....	1.09	10,000	16,523	21,958	5,436	54,571
West Virginia...	2.01	10,000	22,071	32,130	10,059	92,484
Wisconsin.....	2.69	10,000	26,164	39,634	13,470	120,454
Wyoming.....	.21	10,000	11,250	12,290	1,041	18,541
	99,988	480,000	1,080,000	1,580,000	500,000	4,580,000

¹ Figures after 1920 subject to returns of fourteenth census on rural population.

ANNUAL APPROPRIATIONS FOR THE EXPERIMENT STATIONS AND THE RELATIONS OF THE OFFICE OF EXPERIMENT STATIONS THERETO.

[Extract from act making appropriations for the United States Department of Agriculture for the fiscal year ending June 30, 1915.]

To carry into effect the provisions of an act approved March second, eighteen hundred and eighty-seven, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto," the sums apportioned to the several States and Territories to be paid quarterly in advance, \$720,000;

To carry into effect the provisions of an act approved March sixteenth, nineteen hundred and six, entitled "An act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof," the sums apportioned to the several States and Territories to be paid quarterly in advance, \$720,000: *Provided*, That not to exceed \$15,000 shall be paid to each State and Territory under this act;

To enable the Secretary of Agriculture to enforce the provisions of the above acts and the act approved May eighth, nineteen hundred and fourteen, entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July second, eighteen hundred and sixty-two, and of acts supplementary thereto, and the United States Department of Agriculture," relative to their administration, including the employment of clerks, assistants, and other persons in the city of Washington and elsewhere, freight and express charges, official traveling expenses, office fixtures, supplies, apparatus, telegraph and telephone service, gas, electric current, and rent outside of the District of Columbia, \$50,500; and the Secretary of Agriculture shall prescribe the form of the annual financial statement required under the above acts, ascertain whether the expenditures are in accordance with their provisions, and make report thereon to Congress. * * *

To enable the Secretary of Agriculture to establish and maintain agricultural experiment stations in Alaska, Hawaii, Porto Rico, and the island of Guam, including the erection of buildings, the preparation, illustration, and distribution of reports and bulletins, and all other necessary expenses, \$120,000, as follows: Alaska, \$40,000; Hawaii, \$35,000; Porto Rico, \$30,000; and Guam, \$15,000; and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment stations in Alaska, Hawaii, Porto Rico, and the island of Guam, and this fund shall be available until used: *Provided*, That of the sum herein appropriated for the experiment station in Hawaii \$5,000 may be used in agricultural extension work in Hawaii.

AGRICULTURAL EDUCATION WORK OF THE OFFICE OF EXPERIMENT STATIONS.

[Extract from act making appropriations for the United States Department of Agriculture for the fiscal year ending June 30, 1915.]

To enable the Secretary of Agriculture to investigate and report upon the organization and progress of farmers' institutes and agricultural schools in the several States and Territories, and upon similar organizations in foreign countries, with special suggestions of plans and methods for making such organizations more effective for the dissemination of the results of the work of the Department of Agriculture and the agricultural experiment stations, and of improved methods of agricultural practice, including the employment of labor in the city of Washington and elsewhere, and all other necessary expenses, \$23,000.

SALE OF CARD INDEX OF EXPERIMENT STATION LITERATURE.

[Extract from act making appropriations for the United States Department of Agriculture for the fiscal year ending June 30, 1909.]

And the Secretary of Agriculture hereafter may furnish to such institutions or individuals as may care to buy them copies of the card index of agricultural literature prepared by the Office of Experiment Stations, and charge for the same a price covering the additional expense involved in the preparation of these copies, the money received from such sales to be deposited in the Treasury of the United States as miscellaneous receipts. * * *

Approved, May 23, 1908 (35 Stat. L., 266).

PRINTING OF REPORT ON WORK AND EXPENDITURES OF THE EXPERIMENT STATIONS.

[Joint resolution of Congress, Apr. 27, 1904.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there be printed eight thousand copies of the Report of the Director of the Office of Experiment Stations, prepared under the supervision of the Secretary of Agriculture, on the work and expenditures of that office and of the agricultural experiment stations established in the several States and Territories under the act of Congress of March second, eighteen hundred and eighty-seven, for nineteen hundred and three, of which one thousand copies shall be for the use of the Senate, two thousand copies for the use of the House of Representatives, and five thousand copies for the use of the Department of Agriculture; and that annually hereafter a similar report shall be prepared and printed, the edition to be the same as for the report herein provided.

COOPERATION OF BUREAUS OF THE UNITED STATES DEPARTMENT OF AGRICULTURE WITH THE STATE EXPERIMENT STATIONS.

The act making appropriations for the United States Department of Agriculture for the fiscal year ending June 30, 1915, provides for cooperation between the Bureau of Animal Industry and the State experiment stations in animal feeding and breeding; between the Bureau of Plant Industry and the stations "in the investigation of fruits, fruit trees, grain, cotton, tobacco, vegetables, grasses, forage, drug, medicinal, poisonous, fiber, and other plants and plant industries," and in the testing and breeding of fiber plants, including the testing of flax straw for paper making (in cooperation with the North Dakota Agricultural College); between the Bureau of Soils and the stations in the investigation of soils; and between the Bureau of Entomology and the stations in the prevention of the spread of gipsy and brown-tail moths. Provision is also made for cooperation between the Department of Agriculture and the agricultural colleges and experiment stations in "studies of cooperation among farmers in the United States in matters of rural credits and of other forms of cooperation in rural communities."

REGULATIONS OF THE POST OFFICE DEPARTMENT CONCERNING FREE TRANSMISSION OF AGRICULTURAL COLLEGE AND EXPERIMENT STATION PUBLICATIONS.

Sections 515, 516, and 517 of the Postal Laws and Regulations (1902) of the United States relating to the free transmission of reports and bulletins of agricultural colleges and experiment stations read as follows:

SEC. 515. One copy of each of the annual reports required by law to be made to the Secretary of the Interior and the Secretary of Agriculture, by such colleges as are or may hereafter be established for the benefit of agriculture and the mechanic arts in the several States and Territories under the provisions of the act of July 2, 1862, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," and the acts amendatory thereof * * * shall be transmitted by mail free, by each, to all the other colleges which may be endowed under the provisions of this act (of July 2, 1862), and also one copy to the Secretary of the Interior and the Secretary of Agriculture.

2. Postmasters at offices where colleges are established under the provisions of the act of July 2, 1862, will receive from the officers thereof the reports referred to addressed, one copy each, to such other colleges and to the Secretary of the Interior and the Secretary of Agriculture, and affix to each a penalty label or official envelope of the post office, and forward the same free.

SEC. 516. Bulletins or reports of progress, one copy to each newspaper in the State or Territory in which the colleges hereafter referred to are located, and to such individuals actually engaged in farming as may request the same, and the annual reports required by law to be published by the agricultural experiment stations established under the provisions of the act of March 2, 1887, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the various States and Territories under the provisions of an act approved July 2, 1862, and the acts supplementary thereto," for the benefit of agriculture and the mechanic arts (*of said stations*) shall be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General may from time to time prescribe.

SEC. 517. Agricultural experiment stations which claim the privilege of transmitting free through the mails, under the provisions of the preceding section, bulletins, reports of progress, or annual reports, must make application to the Postmaster General, stating the date of the establishment of such station, its proper name or designation, its official organization, and the names of its officers, the name of the university, college, school, or institution to which it is attached, if any, the legislation of the State or Territory providing for its establishment, and any other granting it the benefits of the provision made by Congress as referred to in the preceding section, accompanied by a copy of the act or acts, and whether any other such station in the same State or Territory is considered, or claims to be, also entitled to the privilege; and also the place where such station is located and the name of the post office where the bulletins and reports will be mailed. The application must be signed by the officer in charge of the station.

2. If such application is allowed by the Postmaster General the postmaster at the proper office will be instructed to admit such bulletins and reports to the mails free of postage, and the officer in charge of the station will be notified thereof.

3. Only such bulletins or reports as shall have been issued after an experiment station became entitled to the privileges of the preceding section can be transmitted free; and such bulletins or reports may be inclosed in envelopes or wrappers, sealed or unsealed. On the exterior of every envelope, wrapper, or package must be written

or printed the name of the station and place of its location, the designation of the bulletin or report inclosed, and the word "Free" over the signature or facsimile thereof of the officer in charge of the station, to be affixed by himself, or by some one duly authorized by him. There may also be written or printed upon the envelope or wrapper a request that the postmaster at the office of delivery will notify the mailing station of the change of address of the addressee, or other reason for inability to deliver the same, and upon a bulk package a request to the postmaster to open and distribute the "franked" matter therein, in accordance with the addresses thereon.

4. Bulletins published by the United States Department of Agriculture, and entitled to be mailed free under the penalty envelope of that department, may also be adopted and mailed by agricultural experiment stations, with such of their own publications as are entitled to free transmission in the mails, under the same regulations; and any bulletins or reports mailable free by any agricultural experiment station under these regulations may be so mailed by any other station entitled to such privilege.

5. If annual reports of an agricultural experiment station are printed by State authority, and consist in part of matter relating to the land-grant college to which such station is attached, then said report entire may be mailed free by the director of the station, provided, in his judgment, the whole consists of useful information of an agricultural character. But the reports of State agricultural departments or boards can not be adopted by agricultural experiment stations in order to secure free circulation of such State reports.

6. The bulletins and reports of progress issued by agricultural experiment stations can only be sent free to the newspapers and persons stated in the preceding section. The annual reports may be sent free to any address.

A part of section 544, relating to free transmission of annual reports to certain foreign countries, reads as follows:

The annual reports of agricultural experiment stations may be sent free to Canada, Cuba, and Mexico.

A part of section 672, relating to the return and disposal of unclaimed official matter, as amended April 26, 1912, reads as follows:

Unclaimed official mail sent under penalty envelope or label or the frank of a Member of Congress and unclaimed reports and bulletins sent out from State agricultural colleges and from agricultural experiment stations will be returned to the office of mailing if it is known. If the office of origin can not be ascertained, such mail will be returned to the post office at Washington, D. C.

An order of the Postmaster General provides—

Any article entitled to transmission free of postage in the domestic mails of the United States, either in a "penalty" envelope or under a duly authorized "frank," shall be entitled likewise to transmission in the mails free of postage between places in any possession of the United States from one to another of such possessions, from the United States to such possession, and from such possession to the United States.

Among rulings on matters of detail the following are the most important:

In sending out bulletins from an agricultural experiment station it is permissible to inclose postal cards to enable correspondents of the station to acknowledge the receipt of its publications and to request their continuous transmission.

"Copies of the reports or bulletins of the agricultural experiment stations, which are purchased, paid, or subscribed for, or otherwise disposed of for gain, when sent

in the mails, are not entitled to free carriage under the 'frank' of the director of station."

Station bulletins and reports, consisting of typewritten matter duplicated on a mimeograph or other duplicating machine, "retain their character as free matter when properly franked by the director of the station."

Cards upon which are printed bulletins issued by agricultural experiment stations established under the provisions of the act of March 2, 1887, may be sent openly in the mails, free of postage, provided the address side of such cards bears the indicia prescribed in paragraph 3, section 517, Postal Laws and Regulations, for envelopes used by the experiment stations referred to in mailing copies of their bulletins and reports.

Reports of the State boards of agriculture or other State boards, commissioners, or officers, even though they contain station bulletins and reports, can not be sent free through the mails under the frank of the director of the station. The catalogue of the college of which the station is a department can not be sent free through the mails under the frank of the director of the station, whether said catalogue is published separately or is bound together with a station publication.

RULINGS OF THE TREASURY DEPARTMENT AFFECTING AGRICULTURAL EXPERIMENT STATIONS.

From copies of letters addressed to the Secretary of the Treasury and others by the First Comptroller of the Treasury, relating to the construction of the acts of Congress of March 2, 1887 (Hatch Act), and March 16, 1906 (Adams Act), and acts supplementary thereto, the following digest has been prepared. The dates of the decision by the comptroller are given:

SECTION 3, HATCH ACT—JANUARY 30, 1888.

The annual financial statement of the stations, with vouchers, should not be sent to the Treasury Department, but a copy simply of the report that is made to the governor is to be sent to the Secretary of the Treasury.

SECTION 3, HATCH ACT—JANUARY 31, 1888.

(1) The Treasury Department will not require officers of experiment stations to do or perform anything not specifically required by said bill.

(2) The Secretary of the Treasury is not required to take a bond of the officers of said stations for the money paid over under the provisions of said act.

(3) No reports will be required from the stations directly to the Secretary of the Treasury; but the governor of the State must send to the Secretary of the Treasury a copy of the report made to him by the colleges or stations.

SECTION 4, HATCH ACT—DECEMBER 16, 1895.

The Solicitor of the Treasury writes: "I am of the opinion that there is no authority for an agricultural experiment station to sell its bulletins outside of the State or Territory. Congress appropriates for the publication and free distribution of the bulletins, and neither expressly nor by necessary implication authorizes their sale."

SECTION 6, HATCH ACT—AUGUST 2, 1888.

The fiscal year commences on the 1st day of July, corresponding with the fiscal year of the Government.

An agricultural station entitled to the benefits of said appropriations made by Congress can anticipate the payment to be made July 1, and make contracts of pur-

chases prior to that time, if it shall be necessary to carry on the work of the station. Of course, no portion of said appropriations paid in quarterly installments can be drawn from the Treasury unless needed for the purposes indicated in the act; and so much of what is so drawn as may not have been expended within the year must be accounted for as part of the appropriation for the following year.

SECTION 8, HATCH ACT—JANUARY 30, 1888.

The State of New York ought to designate whether to the college or to the station or to both it desires the appropriation to be applied. The eighth section of the act seems to authorize the State to apply such benefits to experimental stations it may have established as it desires.

Where there are no experimental stations connected with the colleges, the legislatures of such States must connect the agricultural experiment station with the colleges already established under the act of July 2, 1862; there is no authority in the act authorizing the establishment of agricultural experiment stations independent of said colleges.

The act contemplates that where stations have already been established disconnected from the colleges the legislatures of such States may make such provisions in regard thereto as they may deem proper; but it does not authorize the establishment of stations except in connection with the colleges that were at that time or might hereafter be established under the act of July 2, 1862.

SECTION 8, HATCH ACT—FEBRUARY 14, 1888.

Where there is an agricultural college or station which may have been established by State authority and is maintained by the State, the eighth section of the above act would authorize the State to designate the station to which it desired the appropriation to be applied, whether to one or more, or all, and the Secretary of the Treasury should make the payment under the appropriation to whichever one the State might desire.

SECTIONS 1 AND 8, HATCH ACT—FEBRUARY 15, 1888.

(1) When an agricultural college or station has been established under the act of July 2, 1862, each college is entitled to the benefits of the provisions of said act (i. e., of Mar. 2, 1887).

(2) In a State where an agricultural college has been established under the act of July 2, 1862, and agricultural stations have also been established, either under the act of July 2, 1862, or by State authority, before March 2, 1887, the legislature of such State shall determine which one of said institutions, or how many of them, shall receive the benefits of the act of March 2, 1887.

(3) If the legislature of any State in which an agricultural college has been established under the act of July 2, 1862, desires to establish an agricultural station which shall be entitled to the benefits of said act, it must establish such station in connection with said college.

SECTIONS 1 AND 8, HATCH ACT—DECEMBER 7, 1888.

It is within the power of the legislature of any State that has accepted the provisions of said act of March 2, 1887, to dispose of the amount appropriated by Congress for said station to each one or all of the agricultural colleges or stations which may have been established in said State by virtue of either the provisions of the act of July 2, 1862, or the provisions of said eighth section of the act of March 2, 1887.

The whole responsibility rests upon the State legislature as to how the fund appropriated by Congress shall be distributed among these various institutions of the State, provided there is one or more agricultural colleges with which an agricultural station is connected or one or more agricultural stations.

UNEXPENDED BALANCES OF APPROPRIATIONS, HATCH AND ADAMS ACTS—AUGUST 11, 1911, AND DECEMBER 27, 1911.

Section 3 of the so-called Adams Act of March 16, 1906 (34 Stat., 63), which provides for an increased annual appropriation for agricultural experiment stations, requires that such part of the money appropriated under the provisions of said act as may be diminished or lost or misapplied after being received by the officer of the State or Territory designated to receive same must "be replaced by said State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory"; and this requirement is an absolute prohibition upon the apportionment until such replacement is actually made, a mere withholding from the subsequent appropriation of an amount equal to that diminished, lost, or misapplied not being a compliance with said statute. (18 Comp. Dec., 120.)

Such funds may be replaced by expending the amount involved for the purposes for which the funds were originally appropriated, to the satisfaction of the Secretary of Agriculture. There is "no limitation on time within which the replacement shall be made," but "no apportionment whatever can be made until the misapplied moneys are replaced."

The provision in the Hatch Act of March 2, 1887 (24 Stat., 440), requiring the deduction of unexpended apportionments of appropriations applies also to appropriations under the Adams Act of March 16, 1906 (34 Stat., 63). (18 Comp. Dec., 485.)

Such unexpended balances must be accounted for as a part of the appropriation for the next succeeding year; in short, each station must account every year for the specific sum (fifteen thousand dollars) provided by Congress, although the amount actually paid to the station in any one year may be less than fifteen thousand dollars on account of the deduction of an unexpended balance for the preceding fiscal year.

RULINGS OF THE DEPARTMENT OF AGRICULTURE ON THE WORK AND EXPENDITURES OF AGRICULTURAL EXPERIMENT STATIONS.

In connection with examinations of the work and expenditures of the agricultural experiment stations established in accordance with the act of Congress of March 2, 1887, and further endowed under act of Congress of March 16, 1906, under authority given to the Secretary of Agriculture by Congress, questions have arisen which have seemed to make it advisable to formulate the views of this department on certain matters affecting the management of the stations under those acts. The rulings which have been made from time to time on points which seemed to require special attention are as follows:

EXPENDITURES FOR PERMANENT SUBSTATIONS.

This department holds that the expenditure of funds appropriated in accordance with the provisions of the act of Congress of March 2, 1887, for the maintenance of permanent substations is contrary to the spirit and intent of said act. The act provides for an experiment station in each State and Territory, which, except in cases specified in the act, is to be a department of the college established under the act of Congress of July 2, 1862. The objects of the stations, as defined in the first-mentioned

act, are evidently of such a character as to necessitate the services of scientific and expert workers. Most of the lines of investigation named in the act are general, rather than local, and involve scientific equipment and work. It is obviously the intent that the stations established under this act shall carry on important investigations which shall be of general benefit to the agriculture of the several States and Territories. The sum of \$15,000, which is annually appropriated by Congress under this act for each station, is only sufficient to carry out a limited number of investigations of the kind contemplated by the act.

As the work of the stations in the different States has developed it has been found necessary to limit, rather than expand, the lines of work of the individual stations. Thorough work in a few lines has been found more effective and productive of more useful results than small investigations in numerous lines. When we consider the nature of the investigations, the amount of money provided for the work of each station, and the fact that the act expressly provides for only a single station in connection with each college, it becomes very clear that expenditures such as are necessary to effectually maintain permanent substations ought not to be made from the funds granted by Congress to the States and Territories for experiment stations. The maintenance of permanent substations, as a rule, involves the erection of buildings and the making of other permanent improvements. The sums of money which can be expended for permanent improvements under the act of Congress aforesaid are so small that it is clear they were not intended to meet the needs of more than one station in each State and Territory.

When the legislature of a State or Territory has given its assent to the provisions of the act of Congress of March 2, 1887, and has designated the institution which shall receive the benefits of said act, it would seem to have exhausted its powers in the matter. The responsibility for the maintenance of an experiment station under said act devolves upon the governing board of the institution thus designated. If the legislature of the State or Territory sees fit to provide funds for the equipment and maintenance of other experiment stations and to put them under the control of the same governing board, well and good, but this does not in any way diminish the responsibility of the board to administer the funds granted by Congress in accordance with the provisions of said act.

The wisdom of Congress in limiting the number of stations to be established in each State and Territory under the aforesaid act has been clearly shown by the experience of the few States and Territories which have attempted the maintenance of substations with the funds granted under said act. The expense of maintaining substations has, as a rule, materially weakened the central station, and the investigations carried on at the substations have been superficial and temporary. It is granted that in many States and Territories more than one agricultural experiment station might do useful work, and in some States more than one station has already been successfully maintained; but in all these cases the State has given funds from its own treasury to supplement those given by Congress. It is also granted that experiment stations established under said act of Congress and having no other funds than those provided by that act will often need to carry on investigations in different localities in their respective States and Territories, but it is held that this should be done in such a way as will secure the thorough supervision of such investigations by the expert officers of the station and that arrangements for such experimental inquiries should not be of so permanent a character as to prevent the station from shifting its work from place to place as circumstances may require nor involve the expenditure of funds in such amounts and in such ways as will weaken the work of the station as a whole.

As far as practicable the cooperation of individuals and communities benefited by these special investigations should be sought and, if necessary, the aid of the States invoked to carry on enterprises too great to be successfully conducted within the limits of the appropriation granted by Congress under the act aforesaid.

PURCHASE OR RENTAL OF LANDS FOR AGRICULTURAL EXPERIMENT STATIONS.

This department holds that the purchase or rental of lands by the experiment stations from the funds appropriated in accordance with the provisions of the act of Congress of March 2, 1887, is contrary to the spirit and intent of said act. The act provides for "paying the necessary expenses of conducting investigations and experiments and printing and distributing the results. * * * *Provided, however, That* out of the first annual appropriation so received by any station an amount not exceeding one-fifth may be expended in the erection, enlargement, or repair of a building or buildings necessary for carrying on the work of such stations; and thereafter an amount not exceeding five per centum of such annual appropriation may be so expended." The only reference to land for the station in the act is in section 8, where State legislatures are authorized to apply appropriations made under said act to separate agricultural colleges or schools established by the State "which shall have connected therewith an experimental farm or station." The strict limitation of the amount provided for buildings and the absence of any provision for the purchase or rental of lands, when taken in connection with the statement in the eighth section, which treats the farm as in a sense a necessary adjunct of the educational institution to which the whole or a part of the funds appropriated in accordance with said act might in certain cases be devoted, point to the conclusion that it was expected that the institution of which the station is a department would supply the land needed for experimental purposes and that charges for the purchase or rental of lands would not be made against the funds provided by Congress for the experiment station. This conclusion is reinforced by consideration of a wise and economic policy in the management of agricultural experiment stations, especially as relating to cases in which it might be desirable for the station to have land for experimental purposes in different localities. The investigations carried on by the stations in such cases being for the direct benefit of agriculture in the localities where the work is done, it seems only reasonable that persons or communities whose interests will be advanced by the station work should contribute the use of the small tracts of land which will be required for experimental purposes. Experience shows that in most cases the stations have had no difficulty in securing such land as they needed without expense, and it is believed that this may be done in every case without injuriously affecting the interests of the stations.

EXPENDITURES BY AGRICULTURAL EXPERIMENT STATIONS FOR CARRYING ON FARM OPERATIONS.

This department holds that expenses incurred in conducting the operations of farms, whether the farms are connected with institutions established under the act of Congress of July 2, 1862, or not, are not a proper charge against the funds appropriated by Congress for agricultural experiment stations in accordance with the act of Congress of March 2, 1887, unless such operations definitely constitute a part of agricultural investigations or experiments planned and conducted in accordance with the terms of the act aforesaid, under rules and regulations prescribed by the governing board of the station. The performance of ordinary farm operations by an experiment station does not constitute experimental work. Operations of this character by an experiment station should be confined to such as are a necessary part of experimental inquiries. Carrying on a farm for profit or as a model farm, or to secure funds which may be afterwards devoted to the erection of buildings for experiment station purposes, to the further development of experimental investigation, or to any other purpose, however laudable and desirable, is not contemplated by the law as a part of the functions of an agricultural experiment station established under the act of Congress of March 2, 1887. Section 5 of that act plainly limits the expenditures of funds appropriated in accordance with said act to "the necessary expenses of conducting investigations and experiments and printing and distributing the results."

FUNDS ARISING FROM THE SALE OF FARM PRODUCTS OR OTHER PROPERTY OF AN
AGRICULTURAL EXPERIMENT STATION.

This department holds that moneys received from the sales of farm products or other property in the possession of an agricultural experiment station as the result of expenditures of funds received by the station in accordance with the act of Congress of March 2, 1887, rightfully belong to the experiment station as a department of the college or other institution with which it is connected, and may be expended in accordance with the laws or regulations governing the financial transactions of the governing board of the station, provided, however, that all expenses attending such sales, including those attending the delivery of the property into the possession of the purchaser, should be deducted from the gross receipts from the sales and should not be made a charge against the funds appropriated by Congress.

LIMIT OF EXPENDITURES OF EXPERIMENT STATIONS DURING ONE FISCAL YEAR.

This department holds that expenses incurred by an agricultural experiment station in any one fiscal year to be paid from the funds provided under the act of Congress of March 2, 1887, should not exceed the amount appropriated to the station by Congress for that year, and especially that all personal services should be paid for out of the appropriation of the year in which they were performed, and that claims for compensation for such services can not properly be paid out of the appropriations for succeeding years. The several appropriations for experiment stations under the aforesaid act are for one year only, and officers of experiment stations have no authority to contract for expenditures beyond the year for which Congress has made appropriations.

This is plainly implied in the act aforesaid, inasmuch as section 6 provides that unexpended balances shall revert to the Treasury of the United States, "in order that the amount of money appropriated to any station shall not exceed the amount actually and necessarily required for its maintenance and support." The annual financial report rendered in the form prescribed by this department should in every case include only the receipts and expenditures of the fiscal year for which the report is made.

EXPENDITURES BY AGRICULTURAL EXPERIMENT STATIONS FOR A WATER SYSTEM TO BE
CHARGED UNDER "BUILDINGS AND REPAIRS."

This department holds that expenditures by agricultural experiment stations from the funds appropriated in accordance with the act of Congress of March 2, 1887, for the construction of wells, cisterns, ponds, or other reservoirs for the storage of water, and for piping, and other materials for a system of storing and distributing water, are properly charged, under abstract 18 in the schedule for financial reports prescribed by this department, as being for improvements on lands which have hitherto been held to come under the head of "buildings and repairs." The fact that a water system may be a necessary adjunct of certain experimental inquiries does not affect the case, inasmuch as the limitations on expenditures for improvements contained in section 5 of the act of Congress of March 2, 1887, expressly stipulate that these improvements shall be such as are necessary for carrying on the work of the station.

EXPENDITURES BY AGRICULTURAL EXPERIMENT STATIONS FOR MEMBERSHIP IN AGRICULTURAL AND OTHER ORGANIZATIONS.

This department holds that membership fees in associations and other organizations are not a proper charge against the funds appropriated by Congress in accordance with the act of March 2, 1887, except in the case of the Association of American Agricultural Colleges and Experiment Stations, which is held to be an essential part of the system of experiment stations established under said act.

THE BORROWING OF MONEY TO PAY THE EXPENSES OF AGRICULTURAL EXPERIMENT STATIONS.

This department holds that experiment station officers have no authority to borrow money to be repaid out of appropriations made under the act of Congress of March 2, 1887, and that charges for interest can not properly be made against funds appropriated under that act.

THE USE OF EXPERIMENT STATION FUNDS FOR COLLEGE PURPOSES.

This department holds that no portion of the funds appropriated by Congress in accordance with the act of March 2, 1887, can legally be used, either directly or indirectly, for paying the salaries or wages of professors, teachers, or other persons whose duties are confined to teaching, administration, or other work in connection with the courses of instruction given in the colleges with which the stations are connected or in any other educational institution; nor should any other expenses connected with the work or facilities for instruction in school or college courses be paid from said fund. In case the same persons are employed in both the experiment station and the other departments of the college with which the station is connected a fair and equitable division of salaries or wages should be made, and in case of any other expenditures for the joint benefit of the experiment station and the other departments of the college the aforesaid funds should be charged with only a fair share of such expenditures.

EXPENSES FOR EXTENSION WORK NOT CHARGEABLE TO THE HATCH FUND.

[Extract from circular letter of the Director of the Office of Experiment Stations of Feb. 25, 1909.]

Expenses for extension work should not be charged against the Hatch fund, and * * * only such printing should be done with that fund as will record the experimental work of the stations established under the Hatch Act. * * *

EXPENDITURES AND ACCOUNTING UNDER THE ADAMS FUND.

[Extract from circular letter of the Secretary of Agriculture of Mar. 20, 1906.]

Under the terms of the act it will be necessary that a separate account of the Adams fund shall be kept at each station, which should be open at all times to the inspection of the Director of the Office of Experiment Stations or his accredited representative. * * *

The Adams fund is "to be applied only to paying the necessary expenses of conducting original researches or experiments bearing directly on the agricultural industry of the United States." It is for the "more complete endowment and maintenance" of the experiment stations, presupposing the provision of a working plant and administrative officers. Accordingly, expenses for administration, care of buildings and grounds, insurance, office furniture and fittings, general maintenance of the station farm and animals, verification and demonstration experiments, compilations, farmers' institute work, traveling, except as is immediately connected with original researches in progress under this act, and other general expenses for the maintenance of the experiment stations, are not to be charged to this fund. The act makes no provision for printing or for the distribution of publications, which should be charged to other funds. * * *

CLASSIFICATION OF STATION ACCOUNTS.

In accordance with the requirement that the Secretary of Agriculture shall prescribe the form of the annual financial statement required under the Hatch and Adams Acts, forms are issued by the

Office of Experiment Stations which provide for the classification of station accounts under 18 ledger headings, as follows:

- (1) *Salaries*—administrative, technical, and clerical.
- (2) *Labor*, regular and temporary, in connection with experiments.
- (3) *Publications*, printing, illustration, envelopes for mailing, etc.
- (4) *Postage and stationery*, including means of communication, such as telephone, telegraph, and cable service; and stationery for office and record purposes, forms, index cards, etc.
- (5) *Freight and express*, including drayage or other charges for handling freight.
- (6) *Heat, light, water, and power*.
- (7) *Chemicals and laboratory supplies* for all departments of the station, not including apparatus of permanent character.
- (8) *Seeds, plants, and sundry supplies* not otherwise provided for, for various departments.
- (9) *Fertilizers*, including water for irrigation.
- (10) *Feeding stuffs* for work animals and those under experiment.
- (11) *Library*—books, periodicals, and binding, but not including equipment or general supplies.
- (12) *Tools, machinery, and appliances*, such as agricultural implements and machines, motors, mills, pumps, vehicles, harness, and small movable structures like animal cages, brooders, or shelters, including repairs to same.
- (13) *Furniture and fixtures* for offices and laboratories—desks, cases, typewriters, and office appliances.
- (14) *Scientific apparatus and specimens*, including mounted insects, fungi, etc.
- (15) *Live stock*, including purchase of animals of all kinds for work or experimental purposes, but not their feeding and care.
- (16) *Traveling expenses* in supervision of station work or in connection with it.
- (17) *Contingent expenses*, to be itemized in detail.
- (18) *Buildings and land*, including all expenses for labor and material for the erection, alteration, and repair of buildings, permanent structures built in place, purchase of permanent fixtures forming part of a building, purchase or rental of land (under Adams fund only), and improvements on land, such as roads, fences, drainage or water systems, etc.

REQUIREMENTS OF EXPERIMENT STATION ACCOUNTING.

[See circular letter of the Director of the Office of Experiment Stations of Mar. 1, 1911.]

The principle which should guide is that all expenditures from the Hatch fund must be for experimental work and publications, and all expenditures from the Adams fund for the projects agreed upon in advance with the Office of Experiment Stations.

In adjusting the salaries of station employees only such portion of their time as is occupied in connection with experimental work and the publication of the results thereof, including correspondence directly relating to the experimental work, should be charged to the Federal funds for the station. All business and correspondence connected with the college, inspection service, and extension department or bureau of information should be paid for from other funds.

The same principle should be applied to all other expenditures from these funds for the maintenance of the station.

The Adams fund expenditures for salaries, labor, travel, apparatus, books, and maintenance should be strictly confined to those necessitated by the projects on file which have been approved by this office. Each voucher should be indorsed with the title of the project for which the expenditure was incurred, and be O. K'd by the officer in immediate charge of the project, as well as by the director.

Separate accounts should be kept for the Hatch, Adams, and sales funds, and as far as practicable separate vouchers should be on file for each of these funds.

The sales funds should be used only for experiment station work and publications and not for inspection or extension work or compiled publications.

Bills for printing, illustrations, preparation of MS., or mailing of publications should not be charged to the Hatch fund unless the publications clearly record the experimental work of the station. Popular bulletins charged to the Hatch fund should expressly show that they embody the results of the station's experimental work. General bulletins of information, circulars containing directions for the use of fertilizers, spraying, etc., which are compiled from well-known sources of information or embody the general or local experience of practical men, and other compiled publications, should not be charged to the Hatch fund.

The expenses of tests and local demonstrations of established results of experimental work or improved practice are not proper charges against the Federal funds for the stations.

In keeping the station books and vouchers and in making up the financial reports strict attention should be paid to the rulings of the department, the published scheme of classification of accounts, and the instructions printed on the first page of the financial schedule and in connection with the several abstracts thereof.

When changes are made of accountants or clerks, the requirements of the department regarding the details of expenditure and accounting should be brought to the attention of the new incumbents, and care should be taken that approved methods of accounting shall not be changed without consideration of the department's requirements.

PROPER ADMINISTRATION OF HATCH AND ADAMS ACTS.

[Extract from report of the Secretary of Agriculture, 1913.]

Efficient station work demands an atmosphere of fairness and justice and reasonable security to the staff. It furthermore requires stability of policy and the highest possible measure of continuity in work and in personnel. Money spent on discontinued or interrupted projects is usually very largely wasted. The director of the station, as the guiding head, is mainly responsible for the success of the station. A good station and a good director go together. The station director deserves to be sustained and supported by the governing board in carrying out the general policy after it is approved by them. A change in the director is inevitably a temporary shock to the work, often interrupts projects, causes changes in the policy and personnel, and creates an era of uncertainty; hence a change is not justified except when clearly indicated by incompetence or inability. In the discharge of its functions in administering the Federal funds and in seeing that they are properly used, the Department of Agriculture should not fail to take cognizance of so important and vital a change as that of director.

The Adams Act directs that the Secretary of Agriculture shall each year ascertain and certify to the Secretary of the Treasury as to each State and Territory, whether it is complying with the provisions of this act and is entitled to receive a share of the annual appropriation. It authorizes the Secretary to withhold certification, thus suspending payment, and to report the matter to Congress. While the right of the colleges to direct the stations within their States and select the members of the station staff is recognized, radical changes in the personnel or policy of the station, except for good and valid reasons, should, it is believed, be held to be unwarranted interference of the governing board with the conduct of the station. Such action fails to recognize the cardinal principles of efficient administration and places an institution in a position of inability to properly employ the Federal funds. It is believed that such a condition does not warrant the Federal Government in continuing to advance funds to the college or its experiment station, and should lead to the withholding of funds until conditions favorable to their effective use are restored.

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U. S. DEPARTMENT OF AGRICULTURE,
STATES RELATIONS SERVICE.

A. C. TRUE, DIRECTOR.

FEDERAL LEGISLATION, REGULATIONS, AND RUL-
INGS AFFECTING AGRICULTURAL COLLEGES AND
EXPERIMENT STATIONS.

[Revised to October 15, 1915.]

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AGRICULTURAL COLLEGES.

ACT OF 1862 DONATING LANDS FOR AGRICULTURAL COLLEGES.

[First Morrill Act.]

AN ACT Donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be granted to the several States, for the purposes hereinafter mentioned, an amount of public land, to be apportioned to each State a quantity equal to thirty thousand acres for each Senator and Representative in Congress to which the States are respectively entitled by the apportionment under the census of eighteen hundred and sixty: *Provided,* That no mineral lands shall be selected or purchased under the provisions of this act.

SEC. 2. *And be it further enacted,* That the land aforesaid, after being surveyed, shall be apportioned to the several States in sections or subdivisions of sections, not less than one-quarter of a section; and whenever there are public lands in a State subject to sale at private entry at one dollar and twenty-five cents per acre, the quantity to which said State shall be entitled shall be selected from such lands within the

limits of such State, and the Secretary of the Interior is hereby directed to issue to each of the States in which there is not the quantity of public lands subject to sale at private entry at one dollar and twenty-five cents per acre to which said State may be entitled under the provisions of this act land scrip to the amount in acres for the deficiency of its distributive share; said scrip to be sold by said States and the proceeds thereof applied to the uses and purposes prescribed in this act and for no other use or purpose whatsoever: *Provided*, That in no case shall any State to which land scrip may thus be issued be allowed to locate the same within the limits of any other State or of any Territory of the United States, but their assignees may thus locate said land scrip upon any of the unappropriated lands of the United States subject to sale at private entry at one dollar and twenty-five cents, or less, per acre: *And provided further*, That not more than one million acres shall be located by such assignees in any one of the States: *And provided further*, That no such location shall be made before one year from the passage of this act.

SEC. 3. *And be it further enacted*, That all the expenses of management, superintendence, and taxes from date of selection of said lands, previous to their sales, and all expenses incurred in the management and disbursement of the moneys which may be received therefrom, shall be paid by the States to which they may belong, out of the treasury of said States, so that the entire proceeds of the sale of said lands shall be applied without any diminution whatever to the purposes hereinafter mentioned.

SEC. 4 (original). *And be it further enacted*, That all moneys derived from the sale of the lands aforesaid by the States to which the lands are apportioned, and from the sales of land scrip hereinbefore provided for, shall be invested in stocks of the United States or of the States, or some other safe stocks, yielding not less than five per centum upon the par value of said stocks; and that the moneys so invested shall constitute a perpetual fund, the capital of which shall remain forever undiminished (except so far as may be provided in section five of this act), and the interest of which shall be inviolably appropriated by each State which may take and claim the benefit of this act, to the endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

SEC. 4 (as amended Mar. 3, 1883). That all moneys derived from the sale of lands aforesaid by the States to which lands are apportioned, and from the sales of land scrip hereinbefore provided for, shall be invested in stocks of the United States or of the States, or some other safe stocks; or the same may be invested by the States having no State stocks in any other manner after the legislatures of such States shall have assented thereto, and engaged that such funds shall yield not less than five per centum upon the amount so invested and that the principal thereof shall forever remain unimpaired: *Provided*, That the moneys so invested or loaned shall constitute a perpetual fund, the capital of which shall remain forever undiminished (except so far as may be provided in section five of this act), and the interest of which shall be inviolably appropriated, by each State which may take and claim the benefit of this act, to the endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

SEC. 5. *And be it further enacted*, That the grant of land and land scrip hereby authorized shall be made on the following conditions, to which, as well as to the pro-

visions hereinbefore contained, the previous assent of the several States shall be signified by legislative acts:

First. If any portion of the fund invested, as provided by the foregoing section, or any portion of the interest thereon, shall, by any action or contingency, be diminished or lost, it shall be replaced by the State to which it belongs, so that the capital of the fund shall remain forever undiminished; and the annual interest shall be regularly applied without diminution to the purposes mentioned in the fourth section of this act, except that a sum, not exceeding ten per centum upon the amount received by any State under the provisions of this act, may be expended for the purchase of lands for sites or experimental farms whenever authorized by the respective legislatures of said States.

Second. No portion of said fund, nor the interest thereon, shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings.

Third. Any State which may take and claim the benefit of the provisions of this act shall provide, within five years, at least not less than one college, as described in the fourth section of this act, or the grant to such State shall cease; and said State shall be bound to pay the United States the amount received of any lands previously sold and that the title to purchasers under the State shall be valid.

Fourth. An annual report shall be made regarding the progress of each college, recording any improvements and experiments made, with their cost and results, and such other matters, including State industrial and economical statistics, as may be supposed useful, one copy of which shall be transmitted by mail free, by each, to all the other colleges which may be endowed under the provisions of this act, and also one copy to the Secretary of the Interior.

Fifth. When lands shall be selected from those which have been raised to double the minimum price, in consequence of railroad grants, they shall be computed to the States at the maximum price and the number of acres proportionately diminished.

Sixth. No State while in a condition of rebellion or insurrection against the Government of the United States shall be entitled to the benefit of this act.

Seventh. No State shall be entitled to the benefits of this act unless it shall express its acceptance thereof by its legislature within two years from the date of its approval by the President.

SEC. 6. *And be it further enacted*, That land scrip issued under the provisions of this act shall not be subject to location until after the first day of January, one thousand eight hundred and sixty-three.

SEC. 7. *And be it further enacted*, That the land officers shall receive the same fees for locating land scrip issued under the provisions of this act as is now allowed for the location of military bounty land warrants under existing laws: *Provided*, That their maximum compensation shall not be thereby increased.

SEC. 8. *And be it further enacted*, That the governors of the several States to which scrip shall be issued under this act shall be required to report annually to Congress all sales made of such scrip until the whole shall be disposed of, the amount received for the same, and what appropriation has been made of the proceeds.

Approved, July 2, 1862 (12 Stat. L., 503).

ACT OF 1866 EXTENDING THE TIME WITHIN WHICH AGRICULTURAL COLLEGES MAY BE ESTABLISHED.

AN ACT To amend the fifth section of an act entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2, 1862, so as to extend the time within which the provisions of said act shall be accepted and such colleges established.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time in which the several States may comply with the provisions of the act of July second, eighteen hundred and sixty-two, entitled "An

act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," is hereby extended so that the acceptance of the benefits of the said act may be expressed within three years from the passage of this act, and the colleges required by the said act may be provided within five years from the date of the filing of such acceptance with the Commissioner of the General Land Office: *Provided*, That when any Territory shall become a State and be admitted into the Union such new States shall be entitled to the benefits of the said act of July second, eighteen hundred and sixty-two, by expressing the acceptance therein required within three years from the date of its admission into the Union, and providing the college or colleges within five years after such acceptance, as prescribed in this act: *Provided further*, That any State which has heretofore expressed its acceptance of the act herein referred to shall have the period of five years within which to provide at least one college, as described in the fourth section of said act, after the time for providing said college, according to the act of July second, eighteen hundred and sixty-two, shall have expired.

Approved, July 23, 1866 (14 Stat. L., 208).

ACT OF 1890 FOR THE FURTHER ENDOWMENT OF AGRICULTURAL COLLEGES.

[Second Morrill Act.]

AN ACT To apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July second, eighteen hundred and sixty-two.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, arising from the sales of public lands, to be paid as hereinafter provided, to each State and Territory for the more complete endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts now established, or which may be hereafter established, in accordance with an act of Congress approved July second, eighteen hundred and sixty-two, the sum of fifteen thousand dollars for the year ending June thirtieth, eighteen hundred and ninety, and an annual increase of the amount of such appropriation thereafter for ten years by an additional sum of one thousand dollars over the preceding year, and the annual amount to be paid thereafter to each State and Territory shall be twenty-five thousand dollars, to be applied only to instruction in agriculture, the mechanic arts, the English language and the various branches of mathematical, physical, natural, and economic science, with special reference to their applications in the industries of life and to the facilities for such instruction: *Provided*, That no money shall be paid out under this act to any State or Territory for the support and maintenance of a college where a distinction of race or color is made in the admission of students, but the establishment and maintenance of such colleges separately for white and colored students shall be held to be a compliance with the provisions of this act if the funds received in such State or Territory be equitably divided as hereinafter set forth: *Provided*, That in any State in which there has been one college established in pursuance of the act of July second, eighteen hundred and sixty-two, and also in which an educational institution of like character has been established, or may be hereafter established, and is now aided by such State from its own revenue, for the education of colored students in agriculture and the mechanic arts, however named or styled, or whether or not it has received money heretofore under the act to which this act is an amendment, the legislature of such State may propose and report to the Secretary of the Interior a just and equitable division of the fund to be received under this act, between one college for white students and one institution for colored students, established as aforesaid, which shall be divided

into two parts, and paid accordingly, and thereupon such institution for colored students shall be entitled to the benefits of this act and subject to its provisions, as much as it would have been if it had been included under the act of eighteen hundred and sixty-two, and the fulfillment of the foregoing provisions shall be taken as a compliance with the provision in reference to separate colleges for white and colored students.

SEC. 2. That the sums hereby appropriated to the States and Territories for the further endowment and support of colleges shall be annually paid on or before the thirty-first day of July of each year, by the Secretary of the Treasury, upon the warrant of the Secretary of the Interior, out of the Treasury of the United States, to the State or Territorial treasurer, or to such officer as shall be designated by the laws of such State or Territory to receive the same, who shall upon the order of the trustees of the college or the institution for colored students, immediately pay over said sums to the treasurers of the respective colleges or other institutions entitled to receive the same, and such treasurers shall be required to report to the Secretary of Agriculture and to the Secretary of the Interior on or before the first day of September of each year a detailed statement of the amount so received and of its disbursement. The grants of moneys authorized by this act are made subject to the legislative assent of the several States and Territories to the purpose of said grants: *Provided*, That payments of such installments of the appropriation herein made as shall become due to any State before the adjournment of the regular session of legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof, duly certified to the Secretary of the Treasury.

SEC. 3. That if any portion of the moneys received by the designated officer of the State or Territory for the further and more complete endowment, support, and maintenance of colleges, or of institutions for colored students, as provided in this act, shall, by any action or contingency, be dismissed or lost, or be misapplied, it shall be replaced by the State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory; and no portion of said moneys shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings. An annual report by the president of each of said colleges shall be made to the Secretary of Agriculture, as well as to the Secretary of the Interior, regarding the condition and progress of each college, including statistical information in relation to its receipts and expenditures, its library, the number of its students and professors, and also as to any improvements and experiments made under the direction of any experiment stations attached to said colleges, with their cost and results and such other industrial and economical statistics as may be regarded as useful, one copy of which shall be transmitted by mail free to all other colleges further endowed under this act.

SEC. 4. That on or before the first day of July in each year, after the passage of this act, the Secretary of the Interior shall ascertain and certify to the Secretary of the Treasury as to each State and Territory, whether it is entitled to receive its share of the annual appropriation for colleges, or of institutions for colored students, under this act and the amount which thereupon each is entitled, respectively, to receive. If the Secretary of the Interior shall withhold a certificate from any State or Territory of its appropriation, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the close of the next Congress, in order that the State or Territory may, if it should so desire, appeal to Congress from the determination of the Secretary of the Interior. If the next Congress shall not direct such sum to be paid it shall be covered into the Treasury. And the Secretary of the Interior is hereby charged with the proper administration of this law.

SEC. 5. That the Secretary of the Interior shall annually report to Congress the disbursements which have been made in all the States and Territories, and also

whether the appropriation of any State or Territory has been withheld, and, if so, the reasons therefor.

SEC. 6. Congress may at any time amend, suspend, or repeal any or all of the provisions of this act.

Approved, August 30, 1890 (26 Stat. L., 417).

PROVISIONS OF ACT MAKING APPROPRIATIONS FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE FISCAL YEAR ENDING JUNE 30, 1908, FOR THE FURTHER ENDOWMENT OF AGRICULTURAL COLLEGES.

[Nelson amendment.]

* * * That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, to be paid as hereinafter provided, to each State and Territory for the more complete endowment and maintenance of agricultural colleges now established, or which may hereafter be established, in accordance with the act of Congress approved July second, eighteen hundred and sixty-two, and the act of Congress approved August thirtieth, eighteen hundred and ninety, the sum of five thousand dollars, in addition to the sums named in the said act, for the fiscal year ending June thirtieth, nineteen hundred and eight, and an annual increase of the amount of such appropriation thereafter for four years by an additional sum of five thousand dollars over the preceding year, and the annual sum to be paid thereafter to each State and Territory shall be fifty thousand dollars, to be applied only for the purposes of the agricultural colleges as defined and limited in the act of Congress approved July second, eighteen hundred and sixty-two, and the act of Congress approved August thirtieth, eighteen hundred and ninety.

That the sum hereby appropriated to the States and Territories for the further endowment and support of the colleges shall be paid by, to, and in the manner prescribed by the act of Congress approved August thirtieth, eighteen hundred and ninety, entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July second, eighteen hundred and sixty-two," and the expenditure of the said money shall be governed in all respects by the provisions of the said act of Congress approved July second, eighteen hundred and sixty-two, and the said act of Congress approved August thirtieth, eighteen hundred and ninety: *Provided*, That said colleges may use a portion of this money for providing courses for the special preparation of instructors for teaching the elements of agriculture and the mechanic arts.

Approved, March 4, 1907 (34 Stat. L., 1256, 1281).

DETAIL OF ARMY OFFICERS AND SALE OF SUPPLIES TO LAND-GRANT COLLEGES.¹

[Memorandum of the War Department on the detail of officers of the Army as professors of military science and tactics at educational institutions, and the issue of arms and equipments thereto.]

1. The following requirements are necessary to be fulfilled by institutions before the detail of an Army officer can be made and arms and certain ordnance equipment issued:

Requirements: (a) The application for the detail of an officer as professor of military science and tactics must be made by the *authorities* of an *established* military institution, seminary, academy, college, or university within the United States.

(b) It must have a capacity to educate at one and the same time not less than 150 male students.

¹ For full information regarding laws, regulations, and instructions affecting such detail, see War Department, General Orders, Nos. 70, 1913, and 14 and 27, 1915.

(c) The application must be accompanied by the last printed catalogue and a certificate showing the number of male students, the number of students in daily attendance at the time of application, the number of students over 15 years of age, the capacity in buildings, apparatus, and the number of instructors. It must also show the grade of the institution and whether or not it is a land-grant institution, and the degrees it confers.

(d) The authorities of the institution must assure the War Department that military instruction shall be compulsory for all physically qualified students for a period of at least two years and for not less than 84 hours per academic year.

(e) The authorities must agree to uniform the students, at other than Government expense, in neat, well-fitting uniforms of a pattern and style now in vogue at other institutions of the same class and kind. (See act of Congress approved July 17, 1914.)

(f) That the officer so detailed shall be a member of the faculty, with the same privileges as those granted the heads of other departments of the institution.

(g) That the officer so detailed will be supported by the authorities in maintaining a high standard of military discipline.

(h) That the course and method of training will be as prescribed by the War Department and the details of same left in the hands of the officer so detailed. A suitable classroom should be provided.

2. If these requirements can be fulfilled by the institution, the War Department, under section 1225, Revised Statutes, can grant the following:

(a) Detail an officer from the active list of the Army to institutions classed as MC and C, where the number of male students is 100 or over, and to class M and SM institutions, where the number of such students is 150.

Class MC.—Colleges and universities (including land-grant institutions) where the curriculum is sufficiently advanced to carry with it a degree, where the students are habitually in uniform, where the average age of the students on graduation is not less than 21 years, where military discipline is constantly maintained, and where one of the leading objects is the development of the student by means of military drill and by regulating his daily conduct according to the principles of military discipline.

Class M.—Essentially military institutions where the curriculum is not sufficiently advanced to carry with it a degree or where the average age of the students on graduation is less than 21 years.

Class C.—Colleges and universities (including land-grant institutions) not essentially military, where the curriculum is sufficiently advanced to carry with it a degree and where the average age of the students on graduation is not less than 21 years.

Class SM.—Institutions not included in any of the classes mentioned above.

(b) Detail an officer from the retired list of the Army whose pay and allowances will be paid by the Government, provided the number of students over 15 years of age exceeds 75. (Act of Nov. 3, 1893.) The total number of active and retired officers who can be so detailed is by law limited to 100.

(c) Detail a retired officer under the act approved April 21, 1904, to any institution where the number of male students is less than 75, provided the institution will pay the officer's commutation. The number of officers provided for this class of details is unlimited.

The annual commutation for a first lieutenant is about \$550, for a captain about \$710, for a major about \$882.

(d) Within the limitations prescribed by "a," "b," and "c," a college may have detailed thereat an active officer or a retired officer; a preparatory school other than a public high school, an officer from the active list, a retired officer on active-pay status or a retired officer under the provisions of the act approved April 21, 1904; but a high school, a retired officer only under the act approved April 21, 1904.

(e) Upon the issue of the order detailing the officer for duty as professor of military science and tactics at the institution, arms and equipment can be issued in accord-

ance with the procedure laid down in paragraphs 39 and 49, inclusive, General Orders, No. 70, War Department, 1913.

(f) In accordance with the act of Congress approved July 17, 1914, the purchase of articles of clothing and publications in such quantities as are approved by the Secretary of War can be made. Each application will be considered separately.

(g) The institution will be inspected annually by General Staff officers with the view of standardizing the course of instruction and correcting any deficiencies in methods, manner of instruction and training that might exist.

3. Before issuing any arms and equipment the law requires that a bond twice the value of the ordnance and ordnance stores issued be filed with the Chief of Ordnance, United States Army. (Pars. 60 to 69, General Orders, No. 70, War Department, 1913.)

All information relative to the purchase of ordnance and ordnance stores or replacing those damaged by fair wear and tear, or carelessness on the part of members of the Cadet Corps, and accounting for the property of the Government in the hands of the college or school authorities, will be found in paragraphs 50 to 59, inclusive, General Orders, No. 70, War Department, 1913.

A suitable place for the safe-keeping of the arms and equipment, as well as adequate arrangements for their care and preservation, must be provided. Where a retired officer is detailed under the act approved April 21, 1904, the approval of the governor of the State is necessary before submitting any application for arms and equipment.

4. A retired officer can be detailed at any educational institution provided the institution will pay the officer's commutation.

CLAUSE IN ACT PROVIDING FOR THE PRINTING, BINDING, AND DISTRIBUTION OF PUBLIC DOCUMENTS, CONSTITUTING THE LAND-GRANT COLLEGES DEPOSITORIES.

All land-grant colleges shall be constituted as depositories for public documents, subject to the provisions and limitations of the depository laws.

Approved, March 1, 1907 (34 Stat. L., 1012, 1014).

RULINGS OF THE UNITED STATES BUREAU OF EDUCATION RELATIVE TO LAND-GRANT COLLEGES.¹

EXPENDITURE OF ANNUAL APPROPRIATION.

The funds annually appropriated by the act of August 30, 1890, must be expended during the year for which they are appropriated and for the purposes specified in the said act, and can not be allowed to accumulate in the form of an unexpended balance or be invested as a permanent interest-bearing fund (decision of the Assistant Attorney General, June 20, 1899). The department will insist on the expenditure annually of substantially the entire amount appropriated by the act of August 30, 1890, and the act of March 4, 1907, and boards of control of agricultural and mechanical colleges are requested to make provision for such expenditures. It is understood, of course, that contracts may be entered into for machinery or other educational material which, for good reasons, may not be ready and paid for until the following year. In such cases it is sufficient to explain, by a note in the report, that the balance is held for the purpose of liquidating bills already incurred, and stating the nature of the outstanding contracts.

USES OF FUNDS DEFINED.

The funds are "to be applied only to instruction in agriculture, the mechanic arts, the English language, and the various branches of mathematical, physical, natural and economic science, with special reference to their applications in the industries

¹ For fuller information see Federal Laws, Regulations, and Rulings Affecting the Land-Grant Colleges of Agriculture and Mechanic Arts. U. S. Bureau of Education, 1911.

of life, and to the facilities for such instruction" and "for providing courses for the special preparation of instructors for teaching the elements of agriculture and mechanic arts." It is held that this language authorizes the purchase with this money of apparatus, machinery, textbooks, reference books, stock, and material used in instruction, or for the purposes of illustration in connection with any of the branches enumerated, and the payment of salaries of instructors in said branches only; but, in case of machinery (such as boilers, engines, pumps, etc.) and farm stock, which are made to serve for both instructional and other purposes, the Federal funds may be charged with only an equitable portion of the cost of said machinery and stock.

BUILDINGS.

The expenditure of any portion of these funds for the purchase, erection, preservation, or repair of any building or buildings under any pretense whatever is specifically prohibited by the act (sec. 3); the purchase of land is not allowable (decision of Assistant Attorney General, Mar., 1891), nor expenditures for permanent improvement to buildings, grounds, and farms, such as clearing, draining, and fencing of land.

SALARIES OF ADMINISTRATIVE OFFICERS.

The salaries of purely administrative officers, such as treasurers (decision of Assistant Attorney General, Mar. 7, 1894), presidents, secretaries, bookkeepers, janitors, watchmen, etc., can not be charged to this fund, nor the salaries of other administrative officers, like superintendents, foremen, and matrons, and the wages of unskilled laborers and assistants in shops, laboratories, and fields; nor can it be expended for heating or lighting buildings, musical instruments, military equipment, furniture, cases, shelving, desks, blackboards, tables, lockers, salaries of instructors in philosophy, psychology, ethics, logic, history, political science, civics, pedagogy, military science and tactics, and in ancient and modern languages (except English). When an administrative officer also gives instruction in any of the branches of study mentioned in the act of August 30, 1890, or when an instructor gives such instruction and also devotes part of his time to giving instruction in branches of study not mentioned in the said act, only a part of such person's salary proportionate to the time devoted to giving instruction in the branches of study mentioned in the said act of August 30, 1890, can be charged to these funds. In the division of time between instructional and other services, one hour of instruction shall be regarded as the equivalent of two hours of administrative, supervisory, or experiment station work.

EXTENSION WORK.

No part of the funds received under the provisions of the acts of 1890 and 1907 may be used for any form of extension work, and all instruction must be given at the institutions receiving these funds, except that a reasonable portion of the funds provided by the act of 1907 may be used for the instruction of teachers in agriculture, mechanic arts, and domestic science at summer schools, teachers' institutes, and by correspondence, and in supervising and directing work in these subjects in high schools.

TRAINING OF TEACHERS.

All or a part of the funds provided by the act of March 4, 1907, may be used "for providing courses for the special preparation of instructors for teaching the elements of agriculture and mechanic arts." It is held that this language authorizes expenditures for instruction in the history of agriculture and industrial education, in methods of teaching agriculture, mechanic arts, and home economics, and also for special aid and supervision given to teachers actively engaged in teaching agriculture, mechanic arts, and home economics in public schools. It does not authorize expenditures for general courses in pedagogy, psychology, history of education, and methods of teaching.

REGULATIONS OF THE POST OFFICE DEPARTMENT CONCERNING FREE TRANSMISSION OF AGRICULTURAL COLLEGE PUBLICATIONS.

Section 515 of the Postal Laws and Regulations (1902) of the United States relating to the free transmission of reports of agricultural colleges reads as follows:

SEC. 515. One copy of each of the annual reports required by law to be made to the Secretary of the Interior and the Secretary of Agriculture, by such colleges as are or may hereafter be established for the benefit of agriculture and the mechanic arts in the several States and Territories under the provisions of the act of July 2, 1862, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," and the acts amendatory thereof * * * shall be transmitted by mail free, by each, to all the other colleges which may be endowed under the provisions of this act (of July 2, 1862), and also one copy to the Secretary of the Interior and the Secretary of Agriculture.

2. Postmasters at offices where colleges are established under the provisions of the act of July 2, 1862, will receive from the officers thereof the reports referred to addressed, one copy each, to such other colleges and to the Secretary of the Interior and the Secretary of Agriculture, and affix to each a penalty label or official envelope of the post office, and forward the same free.

AGRICULTURAL EXPERIMENT STATIONS.

ACT OF 1887 ESTABLISHING AGRICULTURAL EXPERIMENT STATIONS.

[Hatch Act.]

AN ACT To establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to aid in acquiring and diffusing among the people of the United States useful and practical information on subjects connected with agriculture, and to promote scientific investigation and experiment respecting the principles and applications of agricultural science, there shall be established under direction of the college or colleges or agricultural departments of colleges in each State or Territory established, or which may hereafter be established, in accordance with the provisions of an act approved July second, eighteen hundred and sixty-two, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," or any of the supplements to said act, a department to be known and designated as an "agricultural experiment station": *Provided,* That in any State or Territory in which two such colleges have been or may be so established the appropriation hereinafter made to such State or Territory shall be equally divided between such colleges, unless the legislature of such State or Territory shall otherwise direct.

SEC. 2. That it shall be the object and duty of said experiment stations to conduct original researches or verify experiments on the physiology of plants and animals; the diseases to which they are severally subject, with the remedies for the same; the chemical composition of useful plants at their different stages of growth; the comparative advantages of rotative cropping as pursued under the varying series of crops; the capacity of new plants or trees for acclimation; the analysis of soils and water; the chemical composition of manures, natural or artificial, with experiments designed to test the comparative effects on crops of different kinds; the adaptation and value of grasses and forage plants; the composition and digestibility of the different kinds of

food for domestic animals; the scientific and economic questions involved in the production of butter and cheese; and such other researches or experiments bearing directly on the agricultural industry of the United States as may in each case be deemed advisable, having due regard to the varying conditions and needs of the respective States and Territories.

SEC. 3. That in order to secure, as far as practicable, uniformity of methods and results in the work of said stations, it shall be the duty of the United States Commissioner [now Secretary] of Agriculture to furnish forms, as far as practicable, for the tabulation of results of investigation or experiment; to indicate from time to time such lines of inquiry as to him shall seem most important, and, in general, to furnish such advice and assistance as will best promote the purpose of this act. It shall be the duty of each of said stations annually, on or before the first of February, to make to the governor of the State or Territory in which it is located a full and detailed report of its operations, including a statement of receipts and expenditures, a copy of which report shall be sent to each of said stations, to the said Commissioner [now Secretary] of Agriculture, and to the Secretary of the Treasury of the United States.

SEC. 4. That bulletins or reports of progress shall be published at said stations at least once in three months, one copy of which shall be sent to each newspaper in the States or Territories in which they are respectively located, and to such individuals actually engaged in farming as may request the same and as far as the means of the station will permit. Such bulletins or reports and the annual reports of said stations shall be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General may from time to time prescribe.

SEC. 5. That for the purpose of paying the necessary expenses of conducting investigations and experiments and printing and distributing the results as hereinbefore prescribed, the sum of fifteen thousand dollars per annum is hereby appropriated to each State, to be specially provided for by Congress in the appropriations from year to year, and to each Territory entitled under the provisions of section eight of this act, out of any money in the Treasury proceeding from the sales of public lands, to be paid in equal quarterly payments on the first day of January, April, July, and October in each year, to the Treasurer or other officer duly appointed by the governing boards of said colleges to receive the same, the first payment to be made on the first day of October, eighteen hundred and eighty-seven: *Provided, however,* That out of the first annual appropriation so received by any station an amount not exceeding one-fifth may be expended in the erection, enlargement, or repair of a building or buildings necessary for carrying on the work of such station; and thereafter an amount not exceeding five per centum of such annual appropriation may be so expended.

SEC. 6. That whenever it shall appear to the Secretary of the Treasury from the annual statement of receipts and expenditures of any of said stations that a portion of the preceding annual appropriation remains unexpended, such amount shall be deducted from the next succeeding annual appropriation to such station, in order that the amount of money appropriated to any station shall not exceed the amount actually and necessarily required for its maintenance and support.

SEC. 7. That nothing in this act shall be construed to impair or modify the legal relation existing between any of the said colleges and the government of the States or Territories in which they are respectively located.

SEC. 8. That in States having colleges entitled under this section to the benefits of this act and having also agricultural experiment stations established by law separate from said colleges, such States shall be authorized to apply such benefits to experiments at stations so established by such States; and in case any State shall have established, under the provisions of said act of July second aforesaid, an agricultural department or experimental station in connection with any university, college, or institution not distinctly an agricultural college or school, and such State shall have established or shall hereafter establish a separate agricultural college or school, which

shall have connected therewith an experimental farm or station, the legislature of such State may apply in whole or in part the appropriation by this act made to such separate agricultural college or school, and no legislature shall by contract, express or implied, disable itself from so doing.

SEC. 9. That the grants of moneys authorized by this act are made subject to the legislative assent of the several States and Territories to the purposes of said grants: *Provided*, That payment of such installments of the appropriation herein made as shall become due to any State before the adjournment of the regular session of its legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof duly certified to the Secretary of the Treasury.

SEC. 10. Nothing in this act shall be held or construed as binding the United States to continue any payments from the Treasury to any or all the States or institutions mentioned in this act, but Congress may at any time amend, suspend, or repeal any or all the provisions of this act.

Approved, March 2, 1887 (24 Stat. L., 440).

ACT OF 1888 AMENDING (HATCH) ACT OF 1887.

AN ACT To amend an act entitled "An act to establish agricultural stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and the acts supplementary thereto."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grant of money authorized by the act of Congress entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of acts supplementary thereto," are subject as therein provided to the legislative assent of the States or Territories to be affected thereby; but as to such installments of the appropriations as may be now due or may hereafter become due, when the legislature may not be in session, the governor of said State or Territory may make the assent therein provided, and upon a duly certified copy thereof to the Secretary of the Treasury he shall cause the same to be paid in the manner provided in the act of which this is amendatory, until the termination of the next regular session of the legislature of such State or Territory.

Approved, June 7, 1888 (25 Stat. L., 176).

PROVISO IN ACT MAKING APPROPRIATIONS FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE FISCAL YEAR ENDING JUNE 30, 1890, FURTHER DEFINING WORK OF STATIONS ESTABLISHED UNDER ACT OF MARCH 2, 1887 (HATCH ACT).

That, as far as practicable, all such stations shall devote a portion of their work to the examination and classification of soils of their respective States and Territories, with a view to securing more extended knowledge and better development of their agricultural capabilities.

Approved, March 2, 1889 (25 Stat. L., 841).

ACT OF 1906 FOR THE FURTHER ENDOWMENT OF AGRICULTURAL EXPERIMENT STATIONS.

[Adams Act.]

AN ACT To provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, to be paid as hereinafter provided, to each State and Territory, for the more complete endowment and

maintenance of agricultural experiment stations now established or which may hereafter be established in accordance with the act of Congress approved March second, eighteen hundred and eighty-seven, the sum of five thousand dollars in addition to the sum named in said act for the year ending June thirtieth, nineteen hundred and six, and an annual increase of the amount of such appropriation thereafter for five years by an additional sum of two thousand dollars over the preceding year, and the annual amount to be paid thereafter to each State or Territory shall be thirty thousand dollars, to be applied only to paying the necessary expenses of conducting original researches or experiments bearing directly on the agricultural industry of the United States, having due regard to the varying conditions and needs of the respective States or Territories.

SEC. 2. That the sums hereby appropriated to the States and Territories for the further endowment and support of agricultural experiment stations shall be annually paid in equal quarterly payments on the first day of January, April, July, and October of each year by the Secretary of the Treasury, upon the warrant of the Secretary of Agriculture, out of the Treasury of the United States, to the treasurer or other officer duly appointed by the governing boards of said experiment stations to receive the same, and such officers shall be required to report to the Secretary of Agriculture on or before the first day of September of each year a detailed statement of the amount so received and of its disbursement, on schedules prescribed by the Secretary of Agriculture. The grants of money authorized by this act are made subject to legislative assent of the several States and Territories to the purpose of said grants: *Provided*, That payment of such installments of the appropriation herein made as shall become due to any State or Territory before the adjournment of the regular session of legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof, duly certified by the Secretary of the Treasury.

SEC. 3. That if any portion of the moneys received by the designated officer of any State or Territory for the further and more complete endowment, support, and maintenance of agricultural experiment stations as provided in this act shall by any action or contingency be diminished or lost or be misapplied, it shall be replaced by said State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory; and no portion of said moneys exceeding five per centum of each annual appropriation shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings, or to the purchase or rental of land. It shall be the duty of each of said stations annually, on or before the first day of February, to make to the governor of the State or Territory in which it is located a full and detailed report of its operations, including a statement of receipts and expenditures, a copy of which report shall be sent to each of said stations, to the Secretary of Agriculture, and to the Secretary of the Treasury of the United States.

SEC. 4. That on or before the first day of July in each year after the passage of this act the Secretary of Agriculture shall ascertain and certify to the Secretary of the Treasury as to each State and Territory whether it is complying with the provisions of this act and is entitled to receive its share of the annual appropriation for agricultural experiment stations under this act and the amount which thereupon each is entitled, respectively, to receive. If the Secretary of Agriculture shall withhold a certificate from any State or Territory of its appropriation, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the close of the next Congress, in order that the State or Territory may, if it shall so desire, appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury; and the Secretary of Agriculture is hereby charged with the proper administration of this law.

SEC. 5. That the Secretary of Agriculture shall make an annual report to Congress on the receipts and expenditures and work of the agricultural experiment stations in all of the States and Territories, and also whether the appropriation of any State or Territory has been withheld, and if so, the reason therefor.

SEC. 6. That Congress may at any time amend, suspend, or repeal any or all of the provisions of this act.

Approved. March 16, 1906 (34 Stat. L., 63).

PROVISIONS OF ACT MAKING APPROPRIATIONS FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE FISCAL YEAR ENDING JUNE 30, 1907, CONSTRUING THE ACT OF MARCH 16, 1906 (ADAMS ACT).

The act of Congress approved March sixteenth, nineteen hundred and six, entitled "An act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof," shall be construed to appropriate for each station the sum of five thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and six, the sum of seven thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and seven, the sum of nine thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and eight, the sum of eleven thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and nine, the sum of thirteen thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and ten, and the sum of fifteen thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and eleven. The sum of five thousand dollars appropriated for the fiscal year nineteen hundred and six shall be paid on or before June thirtieth, nineteen hundred and six, and the amounts appropriated for the subsequent years shall be paid as provided in the said act to each State and Territory for the more complete endowment and maintenance of agricultural experiment stations now established or which may hereafter be established in accordance with the act of Congress approved March second, eighteen hundred and eighty-seven.

Approved, June 30, 1906 (34 Stat. L., 669, 696).

APPROPRIATIONS FOR THE STATE STATIONS.

[Annual appropriations for State agricultural experiment stations, in the act making appropriations for the United States Department of Agriculture for the fiscal year ending June 30, 1916.]

To carry into effect the provisions of an act approved March second, eighteen hundred and eighty-seven, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto," the sums apportioned to the several States and Territories, to be paid quarterly in advance, \$720,000;

To carry into effect the provisions of an act approved March sixteenth, nineteen hundred and six, entitled "An act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof," the sums apportioned to the several States and Territories, to be paid quarterly in advance, \$720,000: *Provided*, That not to exceed \$15,000 shall be paid to each State and Territory under this act. (38 Stat. L., 1086, 1108.)

COOPERATION OF BUREAUS OF THE UNITED STATES DEPARTMENT OF AGRICULTURE WITH THE STATE EXPERIMENT STATIONS.

The act making appropriations for the United States Department of Agriculture for the fiscal year ending June 30, 1916, provides for cooperation between the Bureau of Animal Industry and the State experiment stations in animal feeding and breeding; between the Bureau of Plant Industry and the stations in the testing and breeding of fiber plants, including the testing of flax straw for paper making (in cooperation with the North Dakota Agricultural College); between the Bureau of Soils and the stations in the investigation of soils; and between the Bureau of Entomology and the stations in the prevention of the spread of gipsy and brown-tail moths.

REGULATIONS OF THE POST OFFICE DEPARTMENT CONCERNING FREE TRANSMISSION OF STATION PUBLICATIONS.

Sections 516 and 517 of the Postal Laws and Regulations (1902) of the United States relating to the free transmission of reports and bulletins of the experiment stations read as follows:

TO WHOM PUBLICATIONS MAY BE FRANKED.

SEC. 516. Bulletins or reports of progress, one copy to each newspaper in the State or Territory in which the colleges hereafter referred to are located, and to such individuals actually engaged in farming as may request the same, and the annual reports required by law to be published by the agricultural experiment stations established under the provisions of the act of March 2, 1887, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the various States and Territories under the provisions of an act approved July 2, 1862, and the acts supplementary thereto," for the benefit of agriculture and the mechanic arts (*of said stations*) shall be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General may from time to time prescribe.

HOW THE FRANKING PRIVILEGE IS TO BE USED.

SEC. 517. Agricultural experiment stations which claim the privilege of transmitting free through the mails, under the provisions of the preceding section, bulletins, reports of progress, or annual reports, must make application to the Postmaster General, stating the date of the establishment of such station, its proper name or designation, its official organization, and the names of its officers, the name of the university, college, school, or institution to which it is attached, if any, the legislation of the State or Territory providing for its establishment, and any other granting it the benefits of the provision made by Congress as referred to in the preceding section, accompanied by a copy of the act or acts, and whether any other such station in the same State or Territory is considered, or claims to be, also entitled to the privilege; and also the place where such station is located and the name of the post office where the bulletins and reports will be mailed. The application must be signed by the officer in charge of the station.

2. If such application is allowed by the Postmaster General the postmaster at the proper office will be instructed to admit such bulletins and reports to the mails free of postage, and the officer in charge of the station will be notified thereof.

3. Only such bulletins or reports as shall have been issued after an experiment station became entitled to the privileges of the preceding section can be transmitted

free; and such bulletins or reports may be inclosed in envelopes or wrappers, sealed or unsealed. On the exterior of every envelope, wrapper, or package must be written or printed the name of the station and place of its location, the designation of the bulletin or report inclosed, and the word "Free" over the signature or facsimile thereof of the officer in charge of the station, to be affixed by himself, or by some one duly authorized by him. There may also be written or printed upon the envelope or wrapper a request that the postmaster at the office of delivery will notify the mailing station of the change of address of the addressee, or other reason for inability to deliver the same, and upon a bulk package a request to the postmaster to open and distribute the "franked" matter therein, in accordance with the addresses thereon.

DEPARTMENT OF AGRICULTURE BULLETINS MAY BE FRANKED WITH STATION PUBLICATIONS.

4. Bulletins published by the United States Department of Agriculture, and entitled to be mailed free under the penalty envelope of that department, may also be adopted and mailed by agricultural experiment stations, with such of their own publications as are entitled to free transmission in the mails, under the same regulations; and any bulletins or reports mailable free by any agricultural experiment station under these regulations may be so mailed by any other station entitled to such privilege.

REPORTS OF STATE BOARDS OR DEPARTMENTS OF AGRICULTURE MAY NOT BE FRANKED.

5. If annual reports of an agricultural experiment station are printed by State authority, and consist in part of matter relating to the land-grant college to which such station is attached, then said report entire may be mailed free by the director of the station, provided, in his judgment, the whole consists of useful information of an agricultural character. But the reports of State agricultural departments or boards can not be adopted by agricultural experiment stations in order to secure free circulation of such State reports.

FREE DISTRIBUTION OF ANNUAL REPORTS NOT RESTRICTED.

6. The bulletins and reports of progress issued by agricultural experiment stations can only be sent free to the newspapers and persons stated in the preceding section. The annual reports may be sent free to any address.

FREE TRANSMISSION OF ANNUAL REPORTS TO FOREIGN COUNTRIES.

A part of section 544, relating to free transmission of annual reports to certain foreign countries, reads as follows:

The annual reports of agricultural experiment stations may be sent free to Canada, Cuba, and Mexico.

RETURN AND DISPOSAL OF UNCLAIMED MATTER.

A part of section 672, relating to the return and disposal of unclaimed official matter, as amended April 26, 1912, reads as follows:

Unclaimed official mail sent under penalty envelope or label or the frank of a Member of Congress and unclaimed reports and bulletins sent out from State agricultural colleges and from agricultural experiment stations will be returned to the office of mailing if it is known. If the office of origin can not be ascertained, such mail will be returned to the post office at Washington, D. C.

FREE TRANSMISSION TO UNITED STATES POSSESSIONS.

An order of the Postmaster General provides—

Any article entitled to transmission free of postage in the domestic mails of the United States, either in a “penalty” envelope or under a duly authorized “frank,” shall be entitled likewise to transmission in the mails free of postage between places in any possession of the United States from one to another of such possessions, from the United States to such possession, and from such possession to the United States.

POSTAL CARDS MAY BE SENT FREE WITH BULLETINS.

Among rulings on matters of detail the following are the most important:

In sending out bulletins from an agricultural experiment station it is permissible to inclose postal cards to enable correspondents of the station to acknowledge the receipt of its publications and to request their continuous transmission.

PAID-FOR PUBLICATIONS MAY NOT BE FRANKED.

Copies of the reports or bulletins of the agricultural experiment stations, which are purchased, paid, or subscribed for, or otherwise disposed of for gain, when sent in the mails, are not entitled to free carriage under the “frank” of the director of station.

TYPEWRITTEN OR MECHANICALLY DUPLICATED BULLETINS OR REPORTS MAY BE FRANKED.

Station bulletins and reports, consisting of typewritten matter duplicated on a mimeograph or other duplicating machine, “retain their character as free matter when properly franked by the director of the station.”

HOW CARD BULLETINS MAY BE FRANKED.

Cards upon which are printed bulletins issued by agricultural experiment stations established under the provisions of the act of March 2, 1887, may be sent openly in the mails, free of postage, provided the address side of such cards bears the indicia prescribed in paragraph 3, section 517, Postal Laws and Regulations, for envelopes used by the experiment stations referred to in mailing copies of their bulletins and reports.

REPORTS OF STATE BOARDS AND DEPARTMENTS OF AGRICULTURE AND COLLEGE CATALOGUES MAY NOT BE SENT UNDER STATION FRANK.

Reports of the State boards of agriculture or other State boards, commissioners, or officers, even though they contain station bulletins and reports, can not be sent free through the mails under the frank of the director of the station. The catalogue of the college of which the station is a department can not be sent free through the mails under the frank of the director of the station, whether said catalogue is published separately or is bound together with a station publication.

RULINGS OF THE TREASURY DEPARTMENT AFFECTING AGRICULTURAL EXPERIMENT STATIONS.

From copies of letters addressed to the Secretary of the Treasury and others by the First Comptroller of the Treasury, relating to the construction of the acts of Congress of March 2, 1887 (Hatch Act),

and March 16, 1906 (Adams Act), and acts supplementary thereto, the following digest has been prepared. The dates of the decision by the comptroller are given:

ANNUAL FINANCIAL STATEMENT.

The annual financial statement of the stations, with vouchers, should not be sent to the Treasury Department, but a copy simply of the report that is made to the governor is to be sent to the Secretary of the Treasury. January 30, 1888.

REQUIREMENTS OF FISCAL OFFICERS.

1. The Treasury Department will not require officers of experiment stations to do or perform anything not specifically required by said bill.

2. The Secretary of the Treasury is not required to take a bond of the officers of said stations for the money paid over under the provisions of said act.

3. No reports will be required from the stations directly to the Secretary of the Treasury; but the governor of the State must send to the Secretary of the Treasury a copy of the report made to him by the colleges or stations. January 31, 1888.

SALE OF STATION BULLETINS.

The Solicitor of the Treasury writes: "I am of the opinion that there is no authority for an agricultural experiment station to sell its bulletins outside of the State or Territory. Congress appropriates for the publication and free distribution of the bulletins and neither expressly nor by necessary implication authorizes their sale." December 16, 1895.

ANTICIPATION OF FIRST QUARTER PAYMENTS.

The fiscal year commences on the 1st day of July, corresponding with the fiscal year of the Government.

An agricultural station entitled to the benefits of * * * appropriations made by Congress can anticipate the payment to be made July 1, and make contracts of purchases prior to that time, if it shall be necessary to carry on the work of the station. Of course, no portion of said appropriations paid in quarterly installments can be drawn from the Treasury unless needed for the purposes indicated in the act; and so much of what is so drawn as may not have been expended within the year must be accounted for as part of the appropriation for the following year. August 2, 1888.

ESTABLISHMENT OF INDEPENDENT STATIONS.

The [Hatch] Act contemplates that where stations have already been established disconnected from the colleges the legislatures of such States may make such provisions in regard thereto as they may deem proper; but it does not authorize the establishment of stations except in connection with the colleges that were at that time or might hereafter be established under the act of July 2, 1862. January 30, 1888.

DIVISION OF FUNDS BETWEEN STATIONS ALREADY ESTABLISHED.

Where there is an agricultural college or station which may have been established by State authority and is maintained by the State, the eighth section of the above act would authorize the State to designate the station to which it desired the appropriation to be applied, whether to one or more, or all, and the Secretary of the Treasury should make the payment under the appropriation to whichever one the State might desire. February 14, 1888.

DESIGNATION OF BENEFICIARIES OF THE HATCH FUND BY STATE LEGISLATURES.

1. When an agricultural college or station has been established under the act of July 2, 1862, each college is entitled to the benefits of the provisions of said act (i. e., of Mar. 2, 1887).

2. In a State where an agricultural college has been established under the act of July 2, 1862, and agricultural stations have also been established, either under the act of July 2, 1862, or by State authority, before March 2, 1887, the legislature of such State shall determine which one of said institutions, or how many of them, shall receive the benefits of the act of March 2, 1887.

3. If the legislature of any State in which an agricultural college has been established under the act of July 2, 1862, desires to establish an agricultural station which shall be entitled to the benefits of said act, it must establish such station in connection with said college. February 15, 1888.

It is within the power of the legislature of any State that has accepted the provisions of said act of March 2, 1887, to dispose of the amount appropriated by Congress for said station to each one or all of the agricultural colleges or stations which may have been established in said State by virtue of either the provisions of the act of July 2, 1862, or the provisions of said eighth section of the act of March 2, 1887.

The whole responsibility rests upon the State legislature as to how the fund appropriated by Congress shall be distributed among these various institutions of the State, provided there is one or more agricultural colleges with which an agricultural station is connected or one or more agricultural stations. December 7, 1888.

RULINGS OF THE COMPTROLLER OF THE TREASURY REGARDING UNEXPENDED BALANCES OF APPROPRIATIONS, HATCH AND ADAMS ACTS.

Section 3 of the so-called Adams Act of March 16, 1906 (34 Stat., 63), which provides for an increased annual appropriation for agricultural experiment stations, requires that such part of the money appropriated under the provisions of said act as may be diminished or lost or misapplied after being received by the officer of the State or Territory designated to receive same must "be replaced by said State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory"; and this requirement is an absolute prohibition upon the apportionment until such replacement is actually made, a mere withholding from the subsequent appropriation of an amount equal to that diminished, lost, or misapplied not being a compliance with said statute. (18 Comp. Dec., 120.)

Such funds may be replaced by expending the amount involved for the purposes for which the funds were originally appropriated, to the satisfaction of the Secretary of Agriculture. There is "no limitation on time within which the replacement shall be made," but "no apportionment whatever can be made until the misapplied moneys are replaced."

The provision in the Hatch Act of March 2, 1887 (24 Stat., 440), requiring the deduction of unexpended apportionments of appropriations applies also to appropriations under the Adams Act of March 16, 1906 (34 Stat., 63). (18 Comp. Dec., 485.)

Such unexpended balances must be accounted for as a part of the appropriation for the next succeeding year; in short, each station must account every year for the specific sum (\$15,000) provided by

Congress, although the amount actually paid to the station in any one year may be less than \$15,000 on account of the deduction of an unexpended balance for the preceding fiscal year.

RULINGS OF THE DEPARTMENT OF AGRICULTURE ON THE WORK AND EXPENDITURES OF AGRICULTURAL EXPERIMENT STATIONS.

In connection with examinations of the work and expenditures of the agricultural experiment stations established in accordance with the act of Congress of March 2, 1887, and further endowed under act of Congress of March 16, 1906, under authority given to the Secretary of Agriculture by Congress, questions have arisen which have seemed to make it advisable to formulate the views of this department on certain matters affecting the management of the stations under those acts. The rulings which have been made from time to time on points which seemed to require special attention are as follows:

PERMANENT SUBSTATIONS.

This department holds that the expenditure of funds appropriated in accordance with the provisions of the act of Congress of March 2, 1887, for the maintenance of permanent substations is contrary to the spirit and intent of said act. The act provides for an experiment station in each State and Territory, which, except in cases specified in the act, is to be a department of the college established under the act of Congress of July 2, 1862. The objects of the stations, as defined in the first-mentioned act, are evidently of such a character as to necessitate the services of scientific and expert workers. Most of the lines of investigation named in the act are general, rather than local, and involve scientific equipment and work. It is obviously the intent that the stations established under this act shall carry on important investigations which shall be of general benefit to the agriculture of the several States and Territories. The sum of \$15,000, which is annually appropriated by Congress under this act for each station, is only sufficient to carry out a limited number of investigations of the kind contemplated by the act.

As the work of the stations in the different States has developed it has been found necessary to limit, rather than expand, the lines of work of the individual stations. Thorough work in a few lines has been found more effective and productive of more useful results than small investigations in numerous lines. When we consider the nature of the investigations, the amount of money provided for the work of each station, and the fact that the act expressly provides for only a single station in connection with each college, it becomes very clear that expenditures such as are necessary to effectually maintain permanent substations ought not to be made from the funds granted by Congress to the States and Territories for experiment stations. The maintenance of permanent substations, as a rule, involves the erection of buildings and the making of other permanent improvements. The sums of money which can be expended for permanent improvements under the act of Congress aforesaid are so small that it is clear they were not intended to meet the needs of more than one station in each State and Territory.

When the legislature of a State or Territory has given its assent to the provisions of the act of Congress of March 2, 1887, and has designated the institution which shall receive the benefits of said act, it would seem to have exhausted its powers in the matter. The responsibility for the maintenance of an experiment station under said act devolves upon the governing board of the institution thus designated. If the legislature of the State or Territory sees fit to provide funds for the equipment and mainte-

nance of other experiment stations and to put them under the control of the same governing board, well and good, but this does not in any way diminish the responsibility of the board to administer the funds granted by Congress in accordance with the provisions of said act.

The wisdom of Congress in limiting the number of stations to be established in each State and Territory under the aforesaid act has been clearly shown by the experience of the few States and Territories which have attempted the maintenance of substations with the funds granted under said act. The expense of maintaining substations has, as a rule, materially weakened the central station, and the investigations carried on at the substations have been superficial and temporary. It is granted that in many States and Territories more than one agricultural experiment station might do useful work, and in some States more than one station has already been successfully maintained; but in all these cases the State has given funds from its own treasury to supplement those given by Congress. It is also granted that experiment stations established under said act of Congress and having no other funds than those provided by that act will often need to carry on investigations in different localities in their respective States and Territories, but it is held that this should be done in such a way as will secure the thorough supervision of such investigations by the expert officers of the station and that arrangements for such experimental inquiries should not be of so permanent a character as to prevent the station from shifting its work from place to place as circumstances may require nor involve the expenditure of funds in such amounts and in such ways as will weaken the work of the station as a whole.

As far as practicable the cooperation of individuals and communities benefited by these special investigations should be sought and, if necessary, the aid of the States invoked to carry on enterprises too great to be successfully conducted within the limits of the appropriation granted by Congress under the act aforesaid.

PURCHASE OR RENTAL OF LANDS FOR AGRICULTURAL EXPERIMENT STATIONS.

This department holds that the purchase or rental of lands by the experiment stations from the funds appropriated in accordance with the provisions of the act of Congress of March 2, 1887, is contrary to the spirit and intent of said act. The act provides for "paying the necessary expenses of conducting investigations and experiments and printing and distributing the results. * * * *Provided, however,* That out of the first annual appropriation so received by any station an amount not exceeding one-fifth may be expended in the erection, enlargement, or repair of a building or buildings necessary for carrying on the work of such stations; and thereafter an amount not exceeding five per centum of such annual appropriation may be so expended." The only reference to land for the station in the act is in section 8, where State legislatures are authorized to apply appropriations made under said act to separate agricultural colleges or schools established by the State "which shall have connected therewith an experimental farm or station." The strict limitation of the amount provided for buildings and the absence of any provision for the purchase or rental of lands, when taken in connection with the statement in the eighth section, which treats the farm as in a sense a necessary adjunct of the educational institution to which the whole or a part of the funds appropriated in accordance with said act might in certain cases be devoted, point to the conclusion that it was expected that the institution of which the station is a department would supply the land needed for experimental purposes and that charges for the purchase or rental of lands would not be made against the funds provided by Congress for the experiment station. This conclusion is reenforced by a consideration of a wise and economic policy in the management of agricultural experiment stations, especially as relating to cases in which it might be desirable for the station to have land for experimental purposes in different localities. The investigations carried on by the stations in such cases being for the direct benefit of agriculture in the localities where the work is done, it seems only reasonable that

persons or communities whose interests will be advanced by the station work should contribute the use of the small tracts of land which will be required for experimental purposes. Experience shows that in most cases the stations have had no difficulty in securing such land as they needed without expense, and it is believed that this may be done in every case without injuriously affecting the interests of the stations.

AGRICULTURAL EXPERIMENT STATIONS FOR CARRYING ON FARM OPERATIONS.

This department holds that expenses incurred in conducting the operations of farms, whether the farms are connected with institutions established under the act of Congress of July 2, 1862, or not, are not a proper charge against the funds appropriated by Congress for agricultural experiment stations in accordance with the act of Congress of March 2, 1887, unless such operations definitely constitute a part of agricultural investigations or experiments planned and conducted in accordance with the terms of the act aforesaid, under rules and regulations prescribed by the governing board of the station. The performance of ordinary farm operations by an experiment station does not constitute experimental work. Operations of this character by an experiment station should be confined to such as are a necessary part of experimental inquiries. Carrying on a farm for profit or as a model farm, or to secure funds which may be afterwards devoted to the erection of buildings for experiment station purposes, to the further development of experimental investigation, or to any other purpose, however laudable and desirable, is not contemplated by the law as a part of the functions of an agricultural experiment station established under the act of Congress of March 2, 1887. Section 5 of that act plainly limits the expenditures of funds appropriated in accordance with said act to "the necessary expenses of conducting investigations and experiments and printing and distributing the results."

SALES FUNDS OF AN AGRICULTURAL EXPERIMENT STATION.

This department holds that moneys received from the sales of farm products or other property in the possession of an agricultural experiment station as the result of expenditures of funds received by the station in accordance with the act of Congress of March 2, 1887, rightfully belong to the experiment station as a department of the college or other institution with which it is connected, and may be expended in accordance with the laws or regulations governing the financial transactions of the governing board of the station, provided, however, that all expenses attending such sales, including those attending the delivery of the property into the possession of the purchaser, should be deducted from the gross receipts from the sales and should not be made a charge against the funds appropriated by Congress.

LIMIT OF EXPENDITURES OF EXPERIMENT STATIONS DURING ONE FISCAL YEAR.

This department holds that expenses incurred by an agricultural experiment station in any one fiscal year to be paid from the funds provided under the act of Congress of March 2, 1887, should not exceed the amount appropriated to the station by Congress for that year, and especially that all personal services should be paid for out of the appropriation of the year in which they were performed, and that claims for compensation for such services can not properly be paid out of the appropriations for succeeding years. The several appropriations for experiment stations under the aforesaid act are for one year only, and officers of experiment stations have no authority to contract for expenditures beyond the year for which Congress has made appropriations.

This is plainly implied in the act aforesaid, inasmuch as section 6 provides that unexpended balances shall revert to the Treasury of the United States, "in order that the amount of money appropriated to any station shall not exceed the amount actually and necessarily required for its maintenance and support." The annual financial report rendered in the form prescribed by this department should in every case include only the receipts and expenditures of the fiscal year for which the report is made.

EXPENDITURES FOR A WATER SYSTEM TO BE CHARGED UNDER "BUILDINGS AND REPAIRS."

This department holds that expenditures by agricultural experiment stations from the funds appropriated in accordance with the act of Congress of March 2, 1887, for the construction of wells, cisterns, ponds, or other reservoirs for the storage of water, and for piping, and other materials for a system of storing and distributing water, are properly charged, under abstract 18 in the schedule for financial reports prescribed by this department, as being for improvements on lands which have hitherto been held to come under the head of "buildings and repairs." The fact that a water system may be a necessary adjunct of certain experimental inquiries does not affect the case, inasmuch as the limitations on expenditures for improvements contained in section 5 of the act of Congress of March 2, 1887, expressly stipulate that these improvements shall be such as are necessary for carrying on the work of the station.

MEMBERSHIP FEES IN AGRICULTURAL AND OTHER ORGANIZATIONS.

This department holds that membership fees in associations and other organizations are not a proper charge against the funds appropriated by Congress in accordance with the act of March 2, 1887, except in the case of the Association of American Agricultural Colleges and Experiment Stations, which is held to be an essential part of the system of experiment stations established under said act.

THE BORROWING OF MONEY BY AGRICULTURAL EXPERIMENT STATIONS.

This department holds that experiment station officers have no authority to borrow money to be repaid out of appropriations made under the act of Congress of March 2, 1887, and that charges for interest can not properly be made against funds appropriated under that act.

THE USE OF EXPERIMENT STATION FUNDS FOR COLLEGE PURPOSES.

This department holds that no portion of the funds appropriated by Congress in accordance with the act of March 2, 1887, can legally be used, either directly or indirectly, for paying the salaries or wages of professors, teachers, or other persons whose duties are confined to teaching, administration, or other work in connection with the courses of instruction given in the colleges with which the stations are connected or in any other educational institution; nor should any other expenses connected with the work or facilities for instruction in school or college courses be paid from said fund. In case the same persons are employed in both the experiment station and the other departments of the college with which the station is connected a fair and equitable division of salaries or wages should be made, and in case of any other expenditures for the joint benefit of the experiment station and the other departments of the college the aforesaid funds should be charged with only a fair share of such expenditures.

EXPENSES FOR EXTENSION WORK NOT CHARGEABLE TO THE HATCH FUND.

[Extract from circular letter of the Director of the Office of Experiment Stations of Feb. 25, 1909.]

Expenses for extension work should not be charged against the Hatch fund, and * * * only such printing should be done with that fund as will record the experimental work of the stations established under the Hatch Act. * * *

ACCOUNTING AND USES OF THE ADAMS FUND.

[Extract from circular letter of the Secretary of Agriculture of Mar. 20, 1906.]

Under the terms of the act it will be necessary that a separate account of the Adams fund shall be kept at each station, which should be open at all times to the inspection

of the Director of the Office of Experiment Stations or his accredited representative. * * *

The Adams fund is "to be applied only to paying the necessary expenses of conducting original researches or experiments bearing directly on the agricultural industry of the United States." It is for the "more complete endowment and maintenance" of the experiment stations, presupposing the provision of a working plant and administrative officers. Accordingly, expenses for administration, care of buildings and grounds, insurance, office furniture and fittings, general maintenance of the station farm and animals, verification and demonstration experiments, compilations, farmers' institute work, traveling, except as is immediately connected with original researches in progress under this act, and other general expenses for the maintenance of the experiment stations, are not to be charged to this fund. The act makes no provision for printing or for the distribution of publications, which should be charged to other funds. * * *

CLASSIFICATION OF ACCOUNTS.

In accordance with the requirement that the Secretary of Agriculture shall prescribe the form of the annual financial statement required under the Hatch and Adams Acts, forms are issued by the Office of Experiment Stations which provide for the classification of station accounts under 18 ledger headings, as follows:

- (1) *Salaries*—administrative, technical, and clerical.
- (2) *Labor*, regular and temporary, in connection with experiments.
- (3) *Publications*, printing, illustration, envelopes for mailing, etc.
- (4) *Postage and stationery*, including means of communication, such as telephone, telegraph, and cable service; and stationery for office and record purposes, forms, index cards, etc.
- (5) *Freight and express*, including drayage or other charges for handling freight.
- (6) *Heat, light, water, and power*.
- (7) *Chemicals and laboratory supplies* for all departments of the station, not including apparatus of permanent character.
- (8) *Seeds, plants, and sundry supplies* not otherwise provided for, for various departments.
- (9) *Fertilizers*, including water for irrigation.
- (10) *Feeding stuffs* for work animals and those under experiment.
- (11) *Library*—books, periodicals, and binding, but not including equipment or general supplies.
- (12) *Tools, machinery, and appliances*, such as agricultural implements and machines, motors, mills, pumps, vehicles, harness, and small movable structures like animal cages, brooders, or shelters, including repairs to same.
- (13) *Furniture and fixtures* for offices and laboratories—desks, cases, typewriters, and office appliances.
- (14) *Scientific apparatus and specimens*, including mounted insects, fungi, etc.
- (15) *Live stock*, including purchase of animals of all kinds for work or experimental purposes, but not their feeding and care.
- (16) *Traveling expenses* in supervision of station work or in connection with it.
- (17) *Contingent expenses*, to be itemized in detail.
- (18) *Buildings and land*, including all expenses for labor and material for the erection, alteration, and repair of buildings, permanent structures built in place, purchase of permanent fixtures forming part of a building, purchase or rental of land (under Adams fund only), and improvements on land, such as roads, fences, drainage or water systems, etc.

REQUIREMENTS OF EXPERIMENT STATION ACCOUNTING.

[See circular letter of the Director of the Office of Experiment Stations of Mar. 1, 1911.]

The principle which should guide is that all expenditures from the Hatch fund must be for experimental work and publications, and all expenditures from the Adams fund for the projects agreed upon in advance with the Office of Experiment Stations.

In adjusting the salaries of station employees only such portion of their time as is occupied in connection with experimental work and the publication of the results thereof, including correspondence directly relating to the experimental work, should be charged to the Federal funds for the station. All business and correspondence connected with the college, inspection service, and extension department or bureau of information should be paid for from other funds.

The same principle should be applied to all other expenditures from these funds for the maintenance of the station.

The Adams fund expenditures for salaries, labor, travel, apparatus, books, and maintenance should be strictly confined to those necessitated by the projects on file which have been approved by this office. Each voucher should be indorsed with the title of the project for which the expenditure was incurred, and be O. K'd by the officer in immediate charge of the project, as well as by the director.

Separate accounts should be kept for the Hatch, Adams, and sales funds, and as far as practicable separate vouchers should be on file for each of these funds.

The sales funds should be used only for experiment station work and publications and not for inspection or extension work or compiled publications.

Bills for printing, illustrations, preparation of MS., or mailing of publications should not be charged to the Hatch fund unless the publications clearly record the experimental work of the station. Popular bulletins charged to the Hatch fund should expressly show that they embody the results of the station's experimental work. General bulletins of information, circulars containing directions for the use of fertilizers, spraying, etc., which are compiled from well-known sources of information or embody the general or local experience of practical men, and other compiled publications, should not be charged to the Hatch fund.

The expenses of tests and local demonstrations of established results of experimental work or improved practice are not proper charges against the Federal funds for the stations.

In keeping the station books and vouchers and in making up the financial reports strict attention should be paid to the rulings of the department, the published scheme of classification of accounts, and the instructions printed on the first page of the financial schedule and in connection with the several abstracts thereof.

When changes are made of accountants or clerks, the requirements of the department regarding the details of expenditure and accounting should be brought to the attention of the new incumbents, and care should be taken that approved methods of accounting shall not be changed without consideration of the department's requirements.

ADMINISTRATION OF HATCH AND ADAMS ACTS.

[Extract from report of the Secretary of Agriculture, 1913.]

Efficient station work demands an atmosphere of fairness and justice and reasonable security to the staff. It furthermore requires stability of policy and the highest possible measure of continuity in work and in personnel. Money spent on discontinued or interrupted projects is usually very largely wasted. The director of the station, as the guiding head, is mainly responsible for the success of the station. A good station and a good director go together. The station director deserves to be sustained and supported by the governing board in carrying out the general policy after it is approved

by them. A change in the director is inevitably a temporary shock to the work, often interrupts projects, causes changes in the policy and personnel, and creates an era of uncertainty; hence a change is not justified except when clearly indicated by incompetence or inability. In the discharge of its functions in administering the Federal funds and in seeing that they are properly used, the Department of Agriculture should not fail to take cognizance of so important and vital a change as that of director.

The Adams Act directs that the Secretary of Agriculture shall each year ascertain and certify to the Secretary of the Treasury as to each State and Territory, whether it is complying with the provisions of this act and is entitled to receive a share of the annual appropriation. It authorizes the Secretary to withhold certification, thus suspending payment, and to report the matter to Congress. While the right of the colleges to direct the stations within their States and select the members of the station staff is recognized, radical changes in the personnel or policy of the station, except for good and valid reasons, should, it is believed, be held to be unwarranted interference of the governing board with the conduct of the station. Such action fails to recognize the cardinal principles of efficient administration and places an institution in a position of inability to properly employ the Federal funds. It is believed that such a condition does not warrant the Federal Government in continuing to advance funds to the college or its experiment station, and should lead to the withholding of funds until conditions favorable to their effective use are restored.

COOPERATIVE EXTENSION WORK.

ACT OF 1914 PROVIDING FOR COOPERATIVE EXTENSION WORK.

[Smith-Lever Act.]

AN ACT To provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July second, eighteen hundred and sixty-two, and of acts supplementary thereto, and the United States Department of Agriculture.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to aid in diffusing among the people of the United States useful and practical information on subjects relating to agriculture and home economics, and to encourage the application of the same, there may be inaugurated in connection with the college or colleges in each State now receiving, or which may hereafter receive, the benefits of the act of Congress approved July second, eighteen hundred and sixty-two, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts" (Twelfth Statutes at Large, page five hundred and three), and of the act of Congress approved August thirtieth, eighteen hundred and ninety (Twenty-sixth Statutes at Large, page four hundred and seventeen and chapter eight hundred and forty-one), agricultural extension work which shall be carried on in cooperation with the United States Department of Agriculture: *Provided*, That in any State in which two or more such colleges have been or hereafter may be established the appropriations hereinafter made to such State shall be administered by such college or colleges as the legislature of such State may direct: *Provided further*, That, pending the inauguration and development of the cooperative extension work herein authorized, nothing in this act shall be construed to discontinue either the farm management work or the farmers' cooperative demonstration work as now conducted by the Bureau of Plant Industry of the Department of Agriculture.

SEC. 2. That cooperative agricultural extension work shall consist of the giving of instruction and practical demonstrations in agriculture and home economics to persons not attending or resident in said colleges in the several communities, and imparting to such persons information on said subjects through field demonstrations, publications, and otherwise; and this work shall be carried on in such manner as

may be mutually agreed upon by the Secretary of Agriculture and the State agricultural college or colleges receiving the benefits of this act.

SEC. 3. That for the purpose of paying the expenses of said cooperative agricultural extension work and the necessary printing and distributing of information in connection with the same, there is permanently appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$480,000 for each year, \$10,000 of which shall be paid annually, in the manner hereinafter provided, to each State which shall by action of its legislature assent to the provisions of this act: *Provided*, That payment of such installments of the appropriation hereinbefore made as shall become due to any State before the adjournment of the regular session of the legislature meeting next after the passage of this act may, in the absence of prior legislative assent, be made upon the assent of the governor thereof, duly certified to the Secretary of the Treasury: *Provided further*, That there is also appropriated an additional sum of \$600,000 for the fiscal year following that in which the foregoing appropriation first becomes available, and for each year thereafter for seven years a sum exceeding by \$500,000 the sum appropriated for each preceding year, and for each year thereafter there is permanently appropriated for each year the sum of \$4,100,000 in addition to the sum of \$480,000 hereinbefore provided: *Provided further*, That before the funds herein appropriated shall become available to any college for any fiscal year plans for the work to be carried on under this act shall be submitted by the proper officials of each college and approved by the Secretary of Agriculture. Such additional sums shall be used only for the purposes hereinbefore stated, and shall be allotted annually to each State by the Secretary of Agriculture and paid in the manner hereinbefore provided, in the proportion which the rural population of each State bears to the total rural population of all the States as determined by the next preceding Federal census: *Provided further*, That no payment out of the additional appropriations herein provided shall be made in any year to any State until an equal sum has been appropriated for that year by the legislature of such State, or provided by State, county, college, local authority, or individual contributions from within the State, for the maintenance of the cooperative agricultural extension work provided for in this act.

SEC. 4. That the sums hereby appropriated for extension work shall be paid in equal semiannual payments on the first day of January and July of each year by the Secretary of the Treasury upon the warrant of the Secretary of Agriculture, out of the Treasury of the United States, to the treasurer or other officer of the State duly authorized by the laws of the State to receive the same; and such officer shall be required to report to the Secretary of Agriculture, on or before the first day of September of each year, a detailed statement of the amount so received during the previous fiscal year, and of its disbursement, on forms prescribed by the Secretary of Agriculture.

SEC. 5. That if any portion of the moneys received by the designated officer of any State for the support and maintenance of cooperative agricultural extension work, as provided in this act, shall by any action or contingency be diminished or lost or be misapplied, it shall be replaced by said State to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to said State, and no portion of said moneys shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings, or the purchase or rental of land, or in college-course teaching, lectures in colleges, promoting agricultural trains, or any other purpose not specified in this act, and not more than five per centum of each annual appropriation shall be applied to the printing and distribution of publications. It shall be the duty of each of said colleges annually, on or before the first day of January, to make to the governor of the State in which it is located a full and detailed report of its operations in the direction of extension work as defined in this act, including a detailed statement of receipts and expenditures from all sources for this purpose, a copy of which report shall be sent to the Secretary of Agriculture and to the Secretary of the Treasury of the United States.

SEC. 6. That on or before the first day of July in each year after the passage of this act the Secretary of Agriculture shall ascertain and certify to the Secretary of the Treasury as to each State whether it is entitled to receive its share of the annual appropriation for cooperative agricultural extension work under this act, and the amount which it is entitled to receive. If the Secretary of Agriculture shall withhold a certificate from any State of its appropriation, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the expiration of the Congress next succeeding a session of the legislature of any State from which a certificate has been withheld, in order that the State may, if it should so desire, appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury.

SEC. 7. That the Secretary of Agriculture shall make an annual report to Congress of the receipts, expenditures, and results of the cooperative agricultural extension work in all of the States receiving the benefits of this act, and also whether the appropriation of any State has been withheld, and if so, the reasons therefor.

SEC. 8. That Congress may at any time alter, amend, or repeal any or all of the provisions of this act.

Approved, May 8, 1914 (38 Stat. L., 372).

FRANKING PRIVILEGE UNDER THE SMITH-LEVER ACT.

[Provision of act making appropriations for the United States Department of Agriculture for the fiscal year ending June 30, 1915.]

All correspondence, bulletins, and reports for the furtherance of the purposes of the act approved May eighth, nineteen hundred and fourteen, entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July second, eighteen hundred and sixty-two, and the acts supplementary thereto, and the United States Department of Agriculture," may be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General, from time to time, may prescribe, by such college officer or other person connected with the extension department of such college as the Secretary of Agriculture may designate to the Postmaster General (38 Stat. L., 415, 438).

In a letter to the Secretary of Agriculture, dated April 28, 1915, the Postmaster General ruled that the above proviso "is regarded as permanent legislation."

ORDER (NO. 8547) OF THE POSTMASTER GENERAL REGARDING THE FRANKING PRIVILEGE UNDER THE SMITH-LEVER ACT.

[Approved Dec. 21, 1914.]

The Postal Laws and Regulations, edition of 1913, are amended by the addition of the following as section 504½:

504½. All correspondence, bulletins, and reports for the furtherance of the purpose of the act approved May 8, 1914 (see paragraph 2 of this section), entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and the acts supplementary thereto, and the United States Department of Agriculture," may be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General from time to time may prescribe, by such college officer or other person connected with the extension department of such college as the Secretary of Agriculture may designate to the Postmaster General. (Act of June 30, 1914.)

2. There may be inaugurated in connection with the college or colleges in each State now receiving, or which may hereafter receive, the benefits of the act of Congress approved July 2, 1862 * * * (12 Stat., 503), and the act of Congress approved August 30, 1890 (26 Stat., 417), agricultural extension work which shall be carried on in cooperation with the United States Department of Agriculture. * * * Co-operative agricultural extension work shall consist of the giving of instruction and practical demonstrations in agriculture and home economics to persons not attending or resident in said colleges in the several communities, and imparting to such persons information on said subjects through field demonstrations, publications, and otherwise. (Act of May 8, 1914.)

3. Upon designation to the Postmaster General by the Secretary of Agriculture of a college officer or other person connected with the extension department of a State agricultural college receiving the benefits of the act of July 2, 1862, and the acts supplementary thereto, by whom the correspondence, bulletins, and reports mentioned in paragraph 1 of this section are to be transmitted, the Third Assistant Postmaster General shall authorize the postmaster at the post office where the extension department of such college is located to accept from the officer or person so designated such correspondence, bulletins, and reports for free transmission in the mails.

4. In the upper left corner of the envelope or wrapper containing such correspondence, bulletins, or reports shall be printed over the words "Free—Cooperative Agricultural Extension Work—Acts of May 8 and June 30, 1914," the name of the agricultural college and the name of the post office at which the matter is to be accepted free, followed by the name and title of the college officer or person designated to transmit such matter, and in the upper right corner the words "Penalty for private use to avoid payment of postage, \$300." The designated college officer or person is not authorized to furnish such envelopes for use as return envelopes by individuals or concerns from whom replies are requested.

5. Only such correspondence, bulletins, and reports as are for the furtherance of the purposes of the act of May 8, 1914, set forth in paragraph 2 of this section, and are mailed at the authorized post office by the college officer or other person duly designated may be transmitted free under the provisions of this section. All such correspondence, etc., to be entitled to free transmission, must be conducted under the name of such designated college officer or person. Correspondence with autograph signature may be mailed sealed, but all other matter shall be presented unsealed.

6. When in doubt as to whether any particular matter presented for mailing under the provisions of this section is entitled to be transmitted free, the postmaster shall submit a sample to the Third Assistant Postmaster General, Division of Classification, and pending decision may dispatch the matter if the sender makes a deposit to cover the postage at the proper rate. The deposit will be refunded if the matter is held to be entitled to free transmission.

INSTRUCTIONS OF THE SECRETARY OF AGRICULTURE REGARDING THE USE OF THE FRANKING PRIVILEGE UNDER THE SMITH-LEVER ACT.

[Approved by the Secretary of Agriculture, under date of Dec. 4, 1914.]

The following instructions, supplementary to the law and postal regulations, relative to the use of the penalty envelopes or franks of the United States Department of Agriculture, should be strictly observed by all employees engaged in extension work who receive any part or all of their salary by appointment from the United States Department of Agriculture.

The use of the mails free of charge is a privilege which must be used cautiously and in strict compliance with the postal regulations,

under penalty of the law if misused. The salary paid from the United States Department of Agriculture, whether large or small, carries with it the right to use the frank or penalty envelope only on "matters relating exclusively to the business of the Government of the United States" for which appointment from the United States Department of Agriculture is made.

The fact that the agent who receives a part of his salary from the department is also engaged in extension work under the general cooperative agreement with the State agricultural college does not give him the right to use the department frank for all extension business. His use of the frank must be confined to those extension enterprises which are covered by the terms of his commission from the department and the projects in which the department funds are used.

The official penalty envelope, post card, or tag may be lawfully used in the following cases:

1. *In official correspondence with the United States Department of Agriculture.*—All correspondence addressed to the United States Department of Agriculture pertaining to the work for which the employee received his Federal appointment may be conducted in penalty envelopes. All such letters should be inclosed in envelopes addressed to the office through which the Federal appointment was made. Such letters must relate entirely to the official public business covered by the appointment which may include the sending in of reports, requests for information, requests for bulletins and supplies and other material needed in the work, and responses to inquiries made by officials of the department.

2. *Correspondence with supervising agents, leaders or directors within the State, and with other field employees holding appointments from the United States Department of Agriculture and engaged in similar work.*—All such correspondence must relate entirely to the official business for which the employee was appointed by the United States Department of Agriculture.

3. *Correspondence with farmers and other persons.*—Penalty envelopes may be used to transmit through the mails letters of instruction to farmers engaged in carrying on demonstrations, notices of meetings to be held in furtherance of the work for which the agent received his Federal appointment, notices of field meetings, and special demonstrations. All such correspondence should relate either to the giving of information to farmers or their families relative to demonstrations conducted under the supervision of the agent, and advice to farmers in answer to their inquiries, or of instruction to farmers and their families regarding some feature of agriculture or home economics taken up by the agent in furtherance of the work for which he was employed by the department.

They may be used to call the attention of the farmers to general farmers' meetings held in furtherance of the work for which the agent was employed, but shall not be used to send out notices of meetings of organizations of farmers and business men or indiscriminate announcements of farmers' meetings. In no case should penalty envelopes be used for the purpose of relieving organizations from paying postage on matter issued by the organization and which is therefore properly chargeable with postage.

4. Penalty envelopes must not be used in sending for catalogues, price lists, seeds, implements, fertilizers, etc., for farmers, or in seeking markets for products of private farms.

5. A return penalty envelope may be sent out to farmers and other persons from whom information is desired, provided such information is to be used in furtherance

of the work for which the agent received his Federal appointment. Such use of the penalty envelopes should be made with great caution for fear of the abuse of the privilege by uninstructed individuals. County agents should not send out circular letters of inquiry in penalty envelopes unless they are instructed to do so by their State leader, who should send to the department copies of all such letters which he has approved.

6. In all franked correspondence agents should use either department letterheads or letterheads approved by the department which clearly indicate the participation of the United States Department of Agriculture in the cooperative work undertaken by the agent. Do not use private letterheads or letterheads containing any advertising matter. Letterheads of the agricultural college which do not show the cooperation with the United States Department of Agriculture in the work, and which have not been approved by the department should not be used.

7. No private matter whatever should be included in any letter sent under frank; the entire letter should relate exclusively to the business for which the employee received his Federal appointment. Agents should not use official letterheads or envelopes for personal correspondence even though postage is affixed. Letters or circulars sent under frank must not be signed by any person except the authorized agent of the Department of Agriculture, who must affix his official title and headquarters.

8. *Printed matter*.—Penalty envelopes of the United States Department of Agriculture may be used by agents in distributing bulletins and circulars published by the United States Department of Agriculture. Bulletins and circulars published by any agricultural college or experiment station may be sent in United States Department of Agriculture penalty envelopes only in cases where such publications contain valuable information on agriculture or home economics which the agent of the department desires to furnish to particular persons who have made inquiry of him for such information or to persons with whom the agent is conducting some demonstration or other special work. Such bulletins or circulars should generally be accompanied by a letter. Penalty envelopes must not be used for general distribution of bulletins and circulars of the colleges, stations, or other organizations unless specific instructions covering particular publications have been received from the department. Where miscellaneous requests for bulletins of colleges or stations or other public institutions are received the request shall be forwarded to the proper authority.

Newspapers, clippings, magazines, and other printed matter which contain articles about the work of the agents may be transmitted to the supervising agents of the department under frank, but should be accompanied by a letter of transmittal, clearly showing that the printed matter is sent in for the purpose of advising the officer to whom it is directed.

9. *No matter containing commercial, religious, or political announcements or advertisements should ever be sent in penalty envelopes*, except in cases where a request is made by an official of the department that the agent send in such pamphlets or printed matter.

10. In the case of agents employed in conducting boys' and girls' club work the penalty envelopes can be used only in furtherance of such club work as is directly fostered or promoted by the United States Department of Agriculture.

11. No letters or printed matter soliciting funds for the support of any association or other organization should be sent in penalty envelopes.

For all other business and in all cases of doubt do not use penalty envelopes, but pay the postage. Resolve all questions of doubt against the right to use the frank, or submit particular cases to the head of the office through which the Federal appointment was made for decision.

FUNDS AVAILABLE TO THE STATES UNDER THE SMITH-LEVER ACT.

The following table shows the maximum amounts of money which the several States are eligible to receive from the Federal Government under the Smith-Lever Act as calculated on the proportion which the rural population of each State bears to the total rural population of the United States according to the census of 1910.

Maximum amounts of Federal funds which each State is eligible to receive under the Smith-Lever Act for cooperative agricultural extension work.¹

State.	Rural population, census 1910.	Proportion of total rural population, census 1910.	Fiscal year 1914-15.	Fiscal year 1915-16.	Fiscal year 1916-17.	Fiscal years 1917-18, 1918-19, 1919-20. ² Add the following amounts to those of the year immediately preceding.
		<i>Per cent.</i>				
Alabama.....	1,767,662	3.5819696	\$10,000	\$31,491.82	\$49,401.67	\$17,909.85
Arizona.....	141,094	.2859112	10,000	11,715.47	13,145.03	1,429.56
Arkansas.....	1,371,768	2.7797346	10,000	26,678.41	40,577.08	13,898.67
California.....	907,810	1.8395756	10,000	21,037.45	30,235.33	9,197.88
Colorado.....	394,184	.7987699	10,000	14,792.62	18,786.47	3,993.85
Connecticut.....	114,917	.2328665	10,000	11,397.20	12,561.53	1,164.33
Delaware.....	105,237	.2132510	10,000	11,279.51	12,345.76	1,066.25
Florida.....	533,539	1.0811572	10,000	16,486.94	21,392.73	5,405.79
Georgia.....	2,070,471	4.1955782	10,000	35,173.47	56,151.36	20,977.89
Idaho.....	255,696	.5181394	10,000	13,108.84	15,699.54	2,590.70
Illinois.....	2,161,662	4.3803666	10,000	36,202.20	58,184.03	21,901.83
Indiana.....	1,557,041	3.1551697	10,000	28,931.02	44,706.87	15,775.85
Iowa.....	1,544,717	3.1301965	10,000	28,781.18	44,432.16	15,650.98
Kansas.....	1,197,159	2.4259090	10,000	24,555.45	36,685.00	12,129.55
Kentucky.....	1,734,463	3.5146956	10,000	31,088.17	48,661.65	17,573.48
Louisiana.....	1,159,872	2.3503511	10,000	24,102.11	35,853.87	11,751.76
Maine.....	360,928	.7313803	10,000	14,388.28	18,045.18	3,656.90
Maryland.....	637,154	1.2911214	10,000	17,746.73	24,202.34	6,455.61
Massachusetts.....	241,049	.4884589	10,000	12,930.75	15,373.04	2,442.29
Michigan.....	1,483,129	2.0053953	10,000	28,032.37	43,059.35	15,026.98
Minnesota.....	1,225,414	2.4831646	10,000	24,898.99	37,314.81	12,415.82
Mississippi.....	1,589,803	3.2215582	10,000	29,329.35	45,437.14	16,107.79
Missouri.....	1,894,518	3.8390291	10,000	33,034.17	52,229.32	19,195.15
Montana.....	242,633	.4916687	20,000	12,950.01	15,408.35	2,458.34
Nebraska.....	881,362	1.7859817	10,000	20,715.89	29,645.80	8,929.91
Nevada.....	68,508	.1388238	10,000	10,832.94	11,527.06	694.12
New Hampshire.....	175,473	.3555764	10,000	12,133.46	13,911.34	1,777.38
New Jersey.....	629,957	1.2765375	10,000	17,659.22	24,041.91	6,382.69
New Mexico.....	280,730	.5688682	10,000	13,413.20	16,257.54	2,844.34
New York.....	1,928,120	3.9071198	10,000	33,442.72	52,978.32	19,535.60
North Carolina.....	1,887,813	3.8254422	10,000	32,952.65	52,079.86	19,127.21
North Dakota.....	513,820	1.0411988	10,000	16,247.19	21,453.18	5,205.99
Ohio.....	2,101,978	4.2594237	10,000	35,556.54	56,853.66	21,297.12
Oklahoma.....	1,337,000	2.7092812	10,000	26,255.69	39,802.10	13,546.41
Oregon.....	365,705	.7410603	10,000	14,446.36	18,151.66	3,705.30
Pennsylvania.....	3,034,442	6.1489578	109000	46,893.75	77,638.54	30,744.79
Rhode Island.....	17,956	.0363858	10,000	10,218.31	10,400.24	181.93
South Carolina.....	1,290,568	2.6151919	10,000	25,691.15	38,767.11	13,075.96
South Dakota.....	507,215	1.0278145	10,000	16,166.89	21,305.96	5,139.07
Tennessee.....	1,743,744	3.5335025	10,000	31,201.01	48,868.52	17,667.51
Texas.....	2,958,438	5.9949442	10,000	45,969.67	75,944.39	29,974.72
Utah.....	200,417	.4061227	10,000	12,436.74	14,467.35	2,030.61
Vermont.....	187,013	.3789609	10,000	12,273.77	14,168.57	1,894.80
Virginia.....	1,585,083	3.2119937	10,000	29,271.96	45,331.93	16,059.97
Washington.....	536,460	1.0870763	10,000	16,522.46	21,957.84	5,435.38
West Virginia.....	992,877	2.0119543	10,000	22,071.73	32,131.50	10,059.77
Wisconsin.....	1,329,540	2.6941643	10,000	26,164.99	39,635.81	13,470.82
Wyoming.....	102,744	.2081992	10,000	11,249.20	12,290.20	1,041.66
Total.....	49,348,883	99.9999999	480,000	1,080,000.00	1,580,000.00	500,000.00

¹ Each State must duplicate all Federal money above \$10,000 per year.

² After 1920 the allotments are to be based on the returns for rural population of the Fourteenth Census.

STATES RELATIONS SERVICE.

ORGANIZATION.

[Extract from the memorandum (No. 140) of the Secretary of Agriculture providing for the organization of the States Relations Service.]

In accordance with the provisions of the act of Congress of March 4, 1915, making appropriations for the Department of Agriculture, I hereby establish a States Relations Service in this department, which shall represent the Secretary of Agriculture in his relations with the State agricultural colleges and experiment stations under the acts of Congress of July 2, 1862, August 30, 1890, March 2, 1887, March 16, 1906, May 8, 1914, and acts supplementary thereto, and in carrying out the provisions of acts of Congress making appropriations to this department for farmers' cooperative demonstration work, investigations relating to agricultural schools, farmers' institutes, the relative utility and economy of agricultural products used for food, clothing, and other uses in the home, and the maintenance of agricultural experiment stations in Alaska, Hawaii, Porto Rico, and Guam, and in such other matters as the Secretary of Agriculture shall designate from time to time.

The States Relations Service shall include the following offices: (1) The office of the director of the service, which shall include those officers and employees engaged in the general work and administration of the service; (2) the Office of Experiment Stations, including the work of the service relating to agricultural experiment stations; (3) the Office of Extension Work in the South, including the farmers' cooperative demonstration work and the Smith-Lever agricultural extension work in 15 Southern States; (4) the Office of Extension Work in the North and West, including the farmers' cooperative demonstration work and the Smith-Lever agricultural extension work in 33 Northern and Western States; and (5) the Office of Home Economics, including investigations relative to foods, clothing, and household equipment and management.

The work of the service relating to agricultural instruction and to farmers' institutes and similar organizations shall be under the immediate direction of the director, and the work relating to farmers' institutes and similar organizations shall be carried on in close cooperation with the offices of extension work.

The States Relations Service will take under consideration matters relating to all the extension work carried on by the several bureaus and offices of the department and those connected with the administration of the Smith-Lever Extension Act. All plans for demonstration and extension work originating in any bureau or in any State should first be submitted to the States Relations Service, which will make recommendations regarding them to the Secretary. Approved plans for demonstration and extension work by any bureau should not be put into operation in any State until they have been brought to the attention of the Director of the States Relations Service and an opportunity has been given for arranging with the extension directors of the agricultural colleges regarding the execution of these plans in the States concerned.

This order became effective July 1, 1915.

WORK.

[Provisions in the act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1916.]

ADMINISTRATION OF THE HATCH, ADAMS, AND SMITH-LEVER ACTS.

To enable the Secretary of Agriculture to enforce the provisions of the above acts [Hatch and Adams] and the act approved May eighth, nineteen hundred and fourteen, entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July second, eighteen hundred and sixty-two, and of acts supplementary

thereto, and the United States Department of Agriculture," relative to their administration, including the employment of clerks, assistants, and other persons in the city of Washington and elsewhere, freight and express charges, official traveling expenses, office fixtures, supplies, apparatus; telegraph and telephone service, gas, electric current, and rent outside of the District of Columbia, \$59,500; and the Secretary of Agriculture shall prescribe the form of the annual financial statement required under the above acts, ascertain whether the expenditures are in accordance with their provisions, coordinate the work of the Department of Agriculture with that of the State agricultural colleges and experiment stations in the lines authorized in said acts, and make report thereon to Congress (38 Stat L., 1086, 1108).

STATIONS IN ALASKA, HAWAII, PORTO RICO, AND GUAM.

To enable the Secretary of Agriculture to establish and maintain agricultural experiment stations in Alaska, Hawaii, Porto Rico, and the island of Guam, including the erection of buildings, the preparation, illustration, and distribution of reports and bulletins, and all other necessary expenses, \$120,000, as follows: Alaska, \$40,000; Hawaii, \$35,000; Porto Rico, \$30,000; and Guam, \$15,000; and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment stations in Alaska, Hawaii, Porto Rico, and the island of Guam: *Provided*, That of the sum herein appropriated for the experiment station in Hawaii \$5,000 may be used in agricultural extension work in Hawaii (38 Stat. L., 1086, 1109).

INVESTIGATIONS IN HOME ECONOMICS.

To enable the Secretary of Agriculture to investigate the relative utility and economy of agricultural products for food, clothing, and other uses in the home, with special suggestions of plans and methods for the more effective utilization of such products for these purposes, with the cooperation of other bureaus of the department, and to disseminate useful information on this subject, including the employment of labor in the city of Washington and elsewhere, supplies, and all other necessary expenses, \$26,500 (38 Stat. L., 1086, 1109).

FARMERS' COOPERATIVE DEMONSTRATION WORK.

For farmers' cooperative demonstration work outside of the cotton belt, including the employment of labor in the city of Washington and elsewhere, supplies, and all other necessary expenses, \$386,080;

For farmers' cooperative demonstrations and for the study and demonstration of the best methods of meeting the ravages of the cotton-boll weevil, including the employment of labor in the city of Washington and elsewhere, supplies, and all other necessary expenses, \$666,020: *Provided*, That the expense of such service shall be defrayed from this appropriation and such cooperative funds as may be voluntarily contributed by State, county, and municipal agencies, associations of farmers, and individual farmers, universities, colleges, boards of trade, chambers of commerce, other local associations of business men, business organizations, and individuals within the State (38 Stat. L., 1086, 1109).

FARMERS' INSTITUTES AND AGRICULTURAL INSTRUCTION.

To enable the Secretary of Agriculture to investigate and report upon the organization and progress of farmers' institutes and agricultural schools in the several States and Territories, and upon similar organizations in foreign countries, with special suggestions of plans and methods for making such organizations more effective for the dissemination of the results of the work of the Department of Agriculture and the agricultural experiment stations, and of improved methods of agricultural practice, including the employment of labor in the city of Washington and elsewhere, and all other necessary expenses, \$20,600 (38 Stat., 1086, 1109).

CARD INDEX OF STATION LITERATURE.

And the Secretary of Agriculture hereafter may furnish to such institutions or individuals as may care to buy them copies of the card index of agricultural literature prepared by the Department of Agriculture in connection with its administration of the acts of March second, eighteen hundred and eighty-seven (Twenty-fourth Statutes at Large, page four hundred and forty), and the act of March sixteenth, nineteen hundred and six (Thirty-fourth Statutes at Large, page sixty-three), and the acts amendatory of and supplementary thereto, and charge for the same a price covering the additional expenses involved in the preparation of these copies, the money received from such sales to be deposited in the Treasury of the United States as miscellaneous receipts (38 Stat. L., 1086, 1109).

ANNUAL REPORT ON WORK AND EXPENDITURES UNDER THE HATCH, ADAMS, AND SMITH-LEVER ACTS.

That hereafter there be prepared by the Department of Agriculture an annual report on the work and expenditures of the agricultural experiment stations established under the act of Congress of March second, eighteen hundred and eighty-seven (Twenty-fourth Statutes at Large, page four hundred and forty), on the work and expenditures of the Department of Agriculture in connection therewith, and on the cooperative agricultural extension work and expenditures of the Department of Agriculture and of agricultural colleges under the act of May eighth, nineteen hundred and fourteen, entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July second, eighteen hundred and sixty-two, and of acts supplementary thereto, and the United States Department of Agriculture"; and that there be printed annually eight thousand copies of said report, of which one thousand copies shall be for the use of the Senate, two thousand copies for the use of the House of Representatives, and five thousand copies for the use of the Department of Agriculture (38 Stat. L., 1086, 1110).

U. S. DEPARTMENT OF AGRICULTURE,
STATES RELATIONS SERVICE.

A. C. TRUE, DIRECTOR.

FEDERAL LEGISLATION, REGULATIONS, AND RUL-
INGS AFFECTING AGRICULTURAL COLLEGES AND
EXPERIMENT STATIONS.

[Revised to August 15, 1916.]

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AGRICULTURAL COLLEGES.

ACT OF 1862 DONATING LANDS FOR AGRICULTURAL COLLEGES.

[First Morrill Act.]

AN ACT Donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be granted to the several States, for the purposes hereinafter mentioned, an amount of public land, to be apportioned to each State a quantity equal to thirty thousand acres for each Senator and Representative in Congress to which the States are respectively entitled by the apportionment under the census of eighteen hundred and sixty: *Provided,* That no mineral lands shall be selected or purchased under the provisions of this act.

SEC. 2. *And be it further enacted,* That the land aforesaid, after being surveyed, shall be apportioned to the several States in sections or subdivisions of sections, not less than one-quarter of a section; and whenever there are public lands in a State subject to sale at private entry at one dollar and twenty-five cents per acre, the quantity to which said State shall be entitled shall be selected from such lands within the

limits of such State, and the Secretary of the Interior is hereby directed to issue to each of the States in which there is not the quantity of public lands subject to sale at private entry at one dollar and twenty-five cents per acre to which said State may be entitled under the provisions of this act land scrip to the amount in acres for the deficiency of its distributive share; said scrip to be sold by said States and the proceeds thereof applied to the uses and purposes prescribed in this act and for no other use or purpose whatsoever: *Provided*, That in no case shall any State to which land scrip may thus be issued be allowed to locate the same within the limits of any other State or of any Territory of the United States, but their assignees may thus locate said land scrip upon any of the unappropriated lands of the United States subject to sale at private entry at one dollar and twenty-five cents, or less, per acre: *And provided further*, That not more than one million acres shall be located by such assignees in any one of the States: *And provided further*, That no such location shall be made before one year from the passage of this act.

SEC. 3. *And be it further enacted*, That all the expenses of management, superintendence, and taxes from date of selection of said lands, previous to their sales, and all expenses incurred in the management and disbursement of the moneys which may be received therefrom, shall be paid by the States to which they may belong, out of the treasury of said States, so that the entire proceeds of the sale of said lands shall be applied without any diminution whatever to the purposes hereinafter mentioned.

SEC. 4 (original). *And be it further enacted*, That all moneys derived from the sale of the lands aforesaid by the States to which the lands are apportioned, and from the sales of land scrip hereinbefore provided for, shall be invested in stocks of the United States or of the States, or some other safe stocks, yielding not less than five per centum upon the par value of said stocks; and that the moneys so invested shall constitute a perpetual fund, the capital of which shall remain forever undiminished (except so far as may be provided in section five of this act), and the interest of which shall be inviolably appropriated by each State which may take and claim the benefit of this act, to the endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

SEC. 4 (as amended Mar. 3, 1883). That all moneys derived from the sale of lands aforesaid by the States to which lands are apportioned, and from the sales of land scrip hereinbefore provided for, shall be invested in stocks of the United States or of the States, or some other safe stocks; or the same may be invested by the States having no State stocks in any other manner after the legislatures of such States shall have assented thereto, and engaged that such funds shall yield not less than five per centum upon the amount so invested and that the principal thereof shall forever remain unimpaired: *Provided*, That the moneys so invested or loaned shall constitute a perpetual fund, the capital of which shall remain forever undiminished (except so far as may be provided in section five of this act), and the interest of which shall be inviolably appropriated, by each State which may take and claim the benefit of this act, to the endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

SEC. 5. *And be it further enacted*, That the grant of land and land scrip hereby authorized shall be made on the following conditions, to which, as well as to the pro-

visions hereinbefore contained, the previous assent of the several States shall be signified by legislative acts:

First. If any portion of the fund invested, as provided by the foregoing section, or any portion of the interest thereon, shall, by any action or contingency, be diminished or lost, it shall be replaced by the State to which it belongs, so that the capital of the fund shall remain forever undiminished; and the annual interest shall be regularly applied without diminution to the purposes mentioned in the fourth section of this act, except that a sum, not exceeding ten per centum upon the amount received by any State under the provisions of this act, may be expended for the purchase of lands for sites or experimental farms whenever authorized by the respective legislatures of said States.

Second. No portion of said fund, nor the interest thereon, shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings.

Third. Any State which may take and claim the benefit of the provisions of this act shall provide, within five years, at least not less than one college, as described in the fourth section of this act, or the grant to such State shall cease; and said State shall be bound to pay the United States the amount received of any lands previously sold and that the title to purchasers under the State shall be valid.

Fourth. An annual report shall be made regarding the progress of each college, recording any improvements and experiments made, with their cost and results, and such other matters, including State industrial and economical statistics, as may be supposed useful, one copy of which shall be transmitted by mail free, by each, to all the other colleges which may be endowed under the provisions of this act, and also one copy to the Secretary of the Interior.

Fifth. When lands shall be selected from those which have been raised to double the minimum price, in consequence of railroad grants, they shall be computed to the States at the maximum price and the number of acres proportionately diminished.

Sixth. No State while in a condition of rebellion or insurrection against the Government of the United States shall be entitled to the benefit of this act.

Seventh. No State shall be entitled to the benefits of this act unless it shall express its acceptance thereof by its legislature within two years from the date of its approval by the President.

SEC. 6. *And be it further enacted*, That land scrip issued under the provisions of this act shall not be subject to location until after the first day of January, one thousand eight hundred and sixty-three.

SEC. 7. *And be it further enacted*, That the land officers shall receive the same fees for locating land scrip issued under the provisions of this act as is now allowed for the location of military bounty land warrants under existing laws: *Provided*, That their maximum compensation shall not be thereby increased.

SEC. 8. *And be it further enacted*, That the governors of the several States to which scrip shall be issued under this act shall be required to report annually to Congress all sales made of such scrip until the whole shall be disposed of, the amount received for the same, and what appropriation has been made of the proceeds.

Approved, July 2, 1862 (12 Stat. L., 503).

ACT OF 1866 EXTENDING THE TIME WITHIN WHICH AGRICULTURAL COLLEGES MAY BE ESTABLISHED.

AN ACT To amend the fifth section of an act entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2, 1862, so as to extend the time within which the provisions of said act shall be accepted and such colleges established.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time in which the several States may comply with the provisions of the act of July second, eighteen hundred and sixty-two, entitled "An

act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," is hereby extended so that the acceptance of the benefits of the said act may be expressed within three years from the passage of this act, and the colleges required by the said act may be provided within five years from the date of the filing of such acceptance with the Commissioner of the General Land Office: *Provided*, That when any Territory shall become a State and be admitted into the Union such new States shall be entitled to the benefits of the said act of July second, eighteen hundred and sixty-two, by expressing the acceptance therein required within three years from the date of its admission into the Union, and providing the college or colleges within five years after such acceptance, as prescribed in this act: *Provided further*, That any State which has heretofore expressed its acceptance of the act herein referred to shall have the period of five years within which to provide at least one college, as described in the fourth section of said act, after the time for providing said college, according to the act of July second, eighteen hundred and sixty-two, shall have expired.

Approved, July 23, 1866 (14 Stat. L., 208).

ACT OF 1890 FOR THE FURTHER ENDOWMENT OF AGRICULTURAL COLLEGES.

[Second Morrill Act.]

AN ACT To apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July second, eighteen hundred and sixty-two.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, arising from the sales of public lands, to be paid as hereinafter provided, to each State and Territory for the more complete endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts now established, or which may be hereafter established, in accordance with an act of Congress approved July second, eighteen hundred and sixty-two, the sum of fifteen thousand dollars for the year ending June thirtieth, eighteen hundred and ninety, and an annual increase of the amount of such appropriation thereafter for ten years by an additional sum of one thousand dollars over the preceding year, and the annual amount to be paid thereafter to each State and Territory shall be twenty-five thousand dollars; to be applied only to instruction in agriculture, the mechanic arts, the English language and the various branches of mathematical, physical, natural, and economic science, with special reference to their applications in the industries of life and to the facilities for such instruction: *Provided*, That no money shall be paid out under this act to any State or Territory for the support and maintenance of a college where a distinction of race or color is made in the admission of students, but the establishment and maintenance of such colleges separately for white and colored students shall be held to be a compliance with the provisions of this act if the funds received in such State or Territory be equitably divided as hereinafter set forth: *Provided*, That in any State in which there has been one college established in pursuance of the act of July second, eighteen hundred and sixty-two, and also in which an educational institution of like character has been established, or may be hereafter established, and is now aided by such State from its own revenue, for the education of colored students in agriculture and the mechanic arts, however named or styled, or whether or not it has received money heretofore under the act to which this act is an amendment, the legislature of such State may propose and report to the Secretary of the Interior a just and equitable division of the fund to be received under this act, between one college for white students and one institution for colored students, established as aforesaid, which shall be divided

into two parts, and paid accordingly, and thereupon such institution for colored students shall be entitled to the benefits of this act and subject to its provisions, as much as it would have been if it had been included under the act of eighteen hundred and sixty-two, and the fulfillment of the foregoing provisions shall be taken as a compliance with the provision in reference to separate colleges for white and colored students.

SEC. 2. That the sums hereby appropriated to the States and Territories for the further endowment and support of colleges shall be annually paid on or before the thirty-first day of July of each year, by the Secretary of the Treasury, upon the warrant of the Secretary of the Interior, out of the Treasury of the United States, to the State or Territorial treasurer, or to such officer as shall be designated by the laws of such State or Territory to receive the same, who shall upon the order of the trustees of the college or the institution for colored students, immediately pay over said sums to the treasurers of the respective colleges or other institutions entitled to receive the same, and such treasurers shall be required to report to the Secretary of Agriculture and to the Secretary of the Interior on or before the first day of September of each year a detailed statement of the amount so received and of its disbursement. The grants of moneys authorized by this act are made subject to the legislative assent of the several States and Territories to the purpose of said grants: *Provided*, That payments of such installments of the appropriation herein made as shall become due to any State before the adjournment of the regular session of legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof, duly certified to the Secretary of the Treasury.

SEC. 3. That if any portion of the moneys received by the designated officer of the State or Territory for the further and more complete endowment, support, and maintenance of colleges, or of institutions for colored students, as provided in this act, shall, by any action or contingency, be dismissed or lost, or be misapplied, it shall be replaced by the State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory; and no portion of said moneys shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings. An annual report by the president of each of said colleges shall be made to the Secretary of Agriculture, as well as to the Secretary of the Interior, regarding the condition and progress of each college, including statistical information in relation to its receipts and expenditures, its library, the number of its students and professors, and also as to any improvements and experiments made under the direction of any experiment stations attached to said colleges, with their cost and results and such other industrial and economical statistics as may be regarded as useful, one copy of which shall be transmitted by mail free to all other colleges further endowed under this act.

SEC. 4. That on or before the first day of July in each year, after the passage of this act, the Secretary of the Interior shall ascertain and certify to the Secretary of the Treasury as to each State and Territory, whether it is entitled to receive its share of the annual appropriation for colleges, or of institutions for colored students, under this act and the amount which thereupon each is entitled, respectively, to receive. If the Secretary of the Interior shall withhold a certificate from any State or Territory of its appropriation, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the close of the next Congress, in order that the State or Territory may, if it should so desire, appeal to Congress from the determination of the Secretary of the Interior. If the next Congress shall not direct such sum to be paid it shall be covered into the Treasury. And the Secretary of the Interior is hereby charged with the proper administration of this law.

SEC. 5. That the Secretary of the Interior shall annually report to Congress the disbursements which have been made in all the States and Territories, and also

whether the appropriation of any State or Territory has been withheld, and, if so, the reasons therefor.

SEC. 6. Congress may at any time amend, suspend, or repeal any or all of the provisions of this act.

Approved, August 30, 1890 (26 Stat. L., 417).

PROVISIONS OF ACT MAKING APPROPRIATIONS FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE FISCAL YEAR ENDING JUNE 30, 1908, FOR THE FURTHER ENDOWMENT OF AGRICULTURAL COLLEGES.

[Nelson amendment.]

* * * That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, to be paid as hereinafter provided, to each State and Territory for the more complete endowment and maintenance of agricultural colleges now established, or which may hereafter be established, in accordance with the act of Congress approved July second, eighteen hundred and sixty-two, and the act of Congress approved August thirtieth, eighteen hundred and ninety, the sum of five thousand dollars, in addition to the sums named in the said act, for the fiscal year ending June thirtieth, nineteen hundred and eight, and an annual increase of the amount of such appropriation thereafter for four years by an additional sum of five thousand dollars over the preceding year, and the annual sum to be paid thereafter to each State and Territory shall be fifty thousand dollars, to be applied only for the purposes of the agricultural colleges as defined and limited in the act of Congress approved July second, eighteen hundred and sixty-two, and the act of Congress approved August thirtieth, eighteen hundred and ninety.

That the sum hereby appropriated to the States and Territories for the further endowment and support of the colleges shall be paid by, to, and in the manner prescribed by the act of Congress approved August thirtieth, eighteen hundred and ninety, entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July second, eighteen hundred and sixty-two," and the expenditure of the said money shall be governed in all respects by the provisions of the said act of Congress approved July second, eighteen hundred and sixty-two, and the said act of Congress approved August thirtieth, eighteen hundred and ninety: *Provided*, That said colleges may use a portion of this money for providing courses for the special preparation of instructors for teaching the elements of agriculture and the mechanic arts.

Approved, March 4, 1907 (34 Stat. L., 1256, 1281).

DETAIL OF ARMY OFFICERS AND SALE OF SUPPLIES TO LAND-GRANT COLLEGES.¹

[Memorandum of the War Department on the detail of officers of the Army as professors of military science and tactics at educational institutions, and the issue of arms and equipments thereto.]

1. The following requirements are necessary to be fulfilled by institutions before the detail of an Army officer can be made and arms and certain ordnance equipment issued:

Requirements: (a) The application for the detail of an officer as professor of military science and tactics must be made by the *authorities* of an *established* military institution, seminary, academy, college, or university within the United States.

(b) It must have a capacity to educate at one and the same time not less than 150 male students.

¹ For full information regarding laws, regulations, and instructions affecting such detail, see War Department, General Orders, Nos. 70, 1913, and 14 and 27, 1915.

(c) The application must be accompanied by the last printed catalogue and a certificate showing the number of male students, the number of students in daily attendance at the time of application, the number of students over 15 years of age, the capacity in buildings, apparatus, and the number of instructors. It must also show the grade of the institution and whether or not it is a land-grant institution, and the degrees it confers.

(d) The authorities of the institution must assure the War Department that military instruction shall be compulsory for all physically qualified students for a period of at least two years and for not less than 84 hours per academic year.

(e) The authorities must agree to uniform the students, at other than Government expense, in neat, well-fitting uniforms of a pattern and style now in vogue at other institutions of the same class and kind. (See act of Congress approved July 17, 1914.)

(f) That the officer so detailed shall be a member of the faculty, with the same privileges as those granted the heads of other departments of the institution.

(g) That the officer so detailed will be supported by the authorities in maintaining a high standard of military discipline.

(h) That the course and method of training will be as prescribed by the War Department and the details of same left in the hands of the officer so detailed. A suitable classroom should be provided.

2. If these requirements can be fulfilled by the institution, the War Department, under section 1225, Revised Statutes, can grant the following:

(a) Detail an officer from the active list of the Army to institutions classed as MC and C, where the number of male students is 100 or over, and to class M and SM institutions, where the number of such students is 150.

Class MC.—Colleges and universities (including land-grant institutions) where the curriculum is sufficiently advanced to carry with it a degree, where the students are habitually in uniform, where the average age of the students on graduation is not less than 21 years, where military discipline is constantly maintained, and where one of the leading objects is the development of the student by means of military drill and by regulating his daily conduct according to the principles of military discipline.

Class M.—Essentially military institutions where the curriculum is not sufficiently advanced to carry with it a degree or where the average age of the students on graduation is less than 21 years.

Class C.—Colleges and universities (including land-grant institutions) not essentially military, where the curriculum is sufficiently advanced to carry with it a degree and where the average age of the students on graduation is not less than 21 years.

Class SM.—Institutions not included in any of the classes mentioned above.

(b) Detail an officer from the retired list of the Army whose pay and allowances will be paid by the Government, provided the number of students over 15 years of age exceeds 75. (Act of Nov. 3, 1893.) The total number of active and retired officers who can be so detailed is by law limited to 100.

(c) Detail a retired officer under the act approved April 21, 1904, to any institution where the number of male students is less than 75, provided the institution will pay the officer's commutation. The number of officers provided for this class of details is unlimited.

The annual commutation for a first lieutenant is about \$550, for a captain about \$710, for a major about \$882.

(d) Within the limitations prescribed by "a," "b," and "c," a college may have detailed thereat an active officer or a retired officer; a preparatory school other than a public high school, an officer from the active list, a retired officer on active-pay status or a retired officer under the provisions of the act approved April 21, 1904; but a high school, a retired officer only under the act approved April 21, 1904.

(e) Upon the issue of the order detailing the officer for duty as professor of military science and tactics at the institution, arms and equipment can be issued in accord-

ance with the procedure laid down in paragraphs 39 and 49, inclusive, General Orders, No. 70, War Department, 1913.

(f) In accordance with the act of Congress approved July 17, 1914, the purchase of articles of clothing and publications in such quantities as are approved by the Secretary of War can be made. Each application will be considered separately.

(g) The institution will be inspected annually by General Staff officers with the view of standardizing the course of instruction and correcting any deficiencies in methods, manner of instruction and training that might exist.

3. Before issuing any arms and equipment the law requires that a bond twice the value of the ordnance and ordnance stores issued be filed with the Chief of Ordnance, United States Army. (Pars. 60 to 69, General Orders, No. 70, War Department, 1913.)

All information relative to the purchase of ordnance and ordnance stores or replacing those damaged by fair wear and tear, or carelessness on the part of members of the Cadet Corps, and accounting for the property of the Government in the hands of the college or school authorities, will be found in paragraphs 50 to 59, inclusive, General Orders, No. 70, War Department, 1913.

A suitable place for the safe-keeping of the arms and equipment, as well as adequate arrangements for their care and preservation, must be provided. Where a retired officer is detailed under the act approved April 21, 1904, the approval of the governor of the State is necessary before submitting any application for arms and equipment.

4. A retired officer can be detailed at any educational institution provided the institution will pay the officer's commutation.

GRADUATES OF LAND-GRANT COLLEGES AND MILITARY SERVICE.

[Extract from an act for making further and more effectual provision for the national defense, and for other purposes.]

SEC. 40. THE RESERVE OFFICERS' TRAINING CORPS.—The President is hereby authorized to establish and maintain in civil educational institutions a Reserve Officers' Training Corps, which shall consist of a senior division organized at universities and colleges requiring four years of collegiate study for a degree, including State universities and those State institutions that are required to provide instruction in military tactics under the provisions of the act of Congress of July second, eighteen hundred and sixty-two, donating lands for the establishment of colleges where the leading object shall be practical instruction in agriculture and the mechanic arts, including military tactics, and a junior division organized at all other public or private educational institutions, except that units of the senior division may be organized at those essentially military schools which do not confer an academic degree but which, as a result of the annual inspection of such institutions by the War Department, are specially designated by the Secretary of War as qualified for units of the senior division, and each division shall consist of units of the several arms or corps in such number and of such strength as the President may prescribe.

SEC. 41. The President may, upon the application of any State institution described in section forty of this act, establish and maintain at such institution one or more units of the Reserve Officers' Training Corps: *Provided*, That no such unit shall be established or maintained at any such institution until an officer of the Army shall have been detailed as professor of military science and tactics, nor until such institution shall maintain under military instruction at least one hundred physically fit male students.

SEC. 42. The President may, upon the application of any established educational institution in the United States other than a State institution described in section forty of this act, the authorities of which agree to establish and maintain a two years' elective or compulsory course of military training as a minimum for its physically fit male stu-

dents, which course when entered upon by any student shall, as regards such student, be a prerequisite for graduation, establish and maintain at such institution one or more units of the Reserve Officers' Training Corps: *Provided*, That no such unit shall be established or maintained at any such institution until an officer of the Army shall have been detailed as professor of military science and tactics, nor until such institution shall maintain under military instruction at least one hundred physically fit male students.

SEC. 43. The Secretary of War is hereby authorized to prescribe standard courses of theoretical and practical military training for units of the Reserve Officers' Training Corps, and no unit of the senior division shall be organized or maintained at any educational institution the authorities of which fail or neglect to adopt into their curriculum the prescribed courses of military training for the senior division or to devote at least an average of three hours per week per academic year to such military training; and no unit of the junior division shall be organized or maintained at any educational institution the authorities of which fail or neglect to adopt into their curriculum the prescribed courses of military training for the junior division, or to devote at least an average of three hours per week per academic year to such military training.

SEC. 44. Eligibility to membership in the Reserve Officers' Training Corps shall be limited to students of institutions in which units of such corps may be established who are citizens of the United States, who are not less than fourteen years of age, and whose bodily condition indicates that they are physically fit to perform military duty, or will be so upon arrival at military age.

SEC. 45. The President is hereby authorized to detail such numbers of officers of the Army, either active or retired, not above the grade of colonel, as may be necessary, for duty as professors and assistant professors of military science and tactics at institutions where one or more units of the Reserve Officers' Training Corps are maintained; but the total number of active officers so detailed at educational institutions shall not exceed three hundred, and no active officer shall be so detailed who has not had five years' commissioned service in the Army. In time of peace retired officers shall not be detailed under the provisions of this section without their consent. Retired officers below the grade of lieutenant colonel so detailed shall receive the full pay and allowances of their grade, and retired officers above the grade of major so detailed shall receive the same pay and allowances as a retired major would receive under a like detail. No detail of officers on the active list of the Regular Army under the provisions of this section shall extend for more than four years.

SEC. 46. The President is hereby authorized to detail for duty at institutions where one or more units of the Reserve Officers' Training Corps are maintained such number of enlisted men, either active or retired or of the Regular Army Reserve, as he may deem necessary, but the number of active noncommissioned officers so detailed shall not exceed five hundred, and all active noncommissioned officers so detailed shall be additional in their respective grades to those otherwise authorized for the Army. Retired enlisted men or members of the Regular Army Reserve shall not be detailed under the provisions of this section without their consent. While so detailed they shall receive active pay and allowances.

SEC. 47. The Secretary of War, under such regulations as he may prescribe, is hereby authorized to issue to institutions at which one or more units of the Reserve Officers' Training Corps are maintained such public animals, arms, uniforms, equipment, and means of transportation as he may deem necessary, and to forage at the expense of the United States public animals so issued. He shall require from each institution to which property of the United States is issued a bond in the value of the property issued for the care and safe-keeping thereof, and for its return when required.

SEC. 48. The Secretary of War is hereby authorized to maintain camps for the further practical instruction of the members of the Reserve Officers' Training Corps, no

such camps to be maintained for a period longer than six weeks in any one year, except in time of actual or threatened hostilities; to transport members of such corps to and from such camps at the expense of the United States so far as appropriations will permit; to subsist them at the expense of the United States while traveling to and from such camps and while remaining therein so far as appropriations will permit; to use the Regular Army, such other military forces as Congress from time to time authorizes, and such Government property as he may deem necessary for the military training of the members of such corps while in attendance at such camps; to prescribe regulations for the government of such corps; and to authorize, in his discretion, the formation of company units thereof into battalion and regimental units.

SEC. 49. The President alone, under such regulations as he may prescribe, is hereby authorized to appoint in the Officers' Reserve Corps any graduate of the senior division of the Reserve Officers' Training Corps who shall have satisfactorily completed the further training provided for in section fifty of this act, or any graduate of the junior division who shall have satisfactorily completed the courses of military training prescribed for the senior division and the further training provided for in section fifty of this act, and shall have participated in such practical instruction subsequent to graduation as the Secretary of War shall prescribe, who shall have arrived at the age of twenty-one years and who shall agree, under oath in writing, to serve the United States in the capacity of a reserve officer of the Army during a period of at least ten years from the date of his appointment as such reserve officer, unless sooner discharged by proper authority; but the total number of reserve officers so appointed shall not exceed fifty thousand: *Provided*, That any graduate qualified under the provisions of this section undergoing a postgraduate course at any institution shall not be eligible for appointment as a reserve officer while undergoing such postgraduate course, but his ultimate eligibility upon completion of such postgraduate course for such appointment shall not be affected because of his having undergone such postgraduate course.

SEC. 50. When any member of the senior division of the Reserve Officers' Training Corps has completed two academic years of service in that division, and has been selected for further training by the president of the institution and by its professor of military science and tactics, and has agreed in writing to continue in the Reserve Officers' Training Corps for the remainder of his course in the institution, devoting five hours per week to the military training prescribed by the Secretary of War, and has agreed in writing to pursue the courses in camp training prescribed by the Secretary of War, he may be furnished, at the expense of the United States, with commutation of subsistence at such rate, not exceeding the cost of the garrison ration prescribed for the Army, as may be fixed by the Secretary of War, during the remainder of his service in the Reserve Officers' Training Corps.

SEC. 51. Any physically fit male citizen of the United States, between the ages of twenty-one and twenty-seven years, who shall have graduated prior to the date of this act from any educational institution at which an officer of the Army was detailed as professor of military science and tactics, and who, while a student at such institution, completed courses of military training under the direction of such professor of military science and tactics substantially equivalent to those prescribed pursuant to this act for the senior division, shall, after satisfactorily completing such additional practical military training as the Secretary of War shall prescribe, be eligible for appointment to the Officers' Reserve Corps and as a temporary additional second lieutenant in accordance with the terms of this act.

SEC. 52. The President alone is hereby authorized to appoint and commission as a temporary second lieutenant of the Regular Army in time of peace for purposes of instruction, for a period not exceeding six months, with the allowances now provided by law for that grade, but with pay at the rate of \$100 per month, any reserve officer appointed pursuant to sections forty-nine and fifty-one of this act and to attach him

to a unit of the Regular Army for duty and training during the period covered by his appointment as such temporary second lieutenant, and upon the expiration of such service with the Regular Army such officer shall revert to his status as a reserve officer.

SEC. 53. No reserve officer or temporary second lieutenant appointed pursuant to this act shall be entitled to retirement or to retired pay and shall be eligible for pension only for disability incurred in line of duty in active service or while serving with the Regular Army pursuant to the provisions of this act: *Provided*, That in time of war the President may order reserve officers appointed under the provisions of this act to active duty with any of the military forces of the United States in any grades not below that of second lieutenant, and while on such active duty they shall be subject to the Rules and Articles of War: *And provided further*, That the Adjutant General of the Army shall, under the direction and supervision of the Secretary of War, obtain, compile, and keep continually up to date all obtainable information as to the names, ages, addresses, occupations, and qualifications for appointment as commissioned officers of the Army, in time of war or other emergency, of men of suitable ages who, by reason of having received military training in civilian educational institutions or elsewhere, may be regarded as qualified and available for appointment as such commissioned officers.

Approved, June 3, 1916.

CLAUSE IN ACT PROVIDING FOR THE PRINTING, BINDING, AND DISTRIBUTION OF PUBLIC DOCUMENTS, CONSTITUTING THE LAND-GRANT COLLEGES DEPOSITORIES.

All land-grant colleges shall be constituted as depositories for public documents, subject to the provisions and limitations of the depository laws.

Approved, March 1, 1907 (34 Stat. L., 1012, 1014).

RULINGS OF THE UNITED STATES BUREAU OF EDUCATION RELATIVE TO LAND-GRANT COLLEGES.¹

EXPENDITURE OF ANNUAL APPROPRIATION.

The funds annually appropriated by the act of August 30, 1890, must be expended during the year for which they are appropriated and for the purposes specified in the said act, and can not be allowed to accumulate in the form of an unexpended balance or be invested as a permanent interest-bearing fund (decision of the Assistant Attorney General, June 20, 1899). The department will insist on the expenditure annually of substantially the entire amount appropriated by the act of August 30, 1890, and the act of March 4, 1907, and boards of control of agricultural and mechanical colleges are requested to make provision for such expenditures. It is understood, of course, that contracts may be entered into for machinery or other educational material which, for good reasons, may not be ready and paid for until the following year. In such cases it is sufficient to explain, by a note in the report, that the balance is held for the purpose of liquidating bills already incurred, and stating the nature of the outstanding contracts.

USES OF FUNDS DEFINED.

The funds are "to be applied only to instruction in agriculture, the mechanic arts, the English language, and the various branches of mathematical, physical, natural and economic science, with special reference to their applications in the industries

¹ For fuller information see Federal Laws, Regulations, and Rulings Affecting the Land-Grant Colleges of Agriculture and Mechanic Arts. U. S. Bureau of Education, 1911.

of life, and to the facilities for such instruction" and "for providing courses for the special preparation of instructors for teaching the elements of agriculture and mechanic arts." It is held that this language authorizes the purchase with this money of apparatus, machinery, textbooks, reference books, stock, and material used in instruction, or for the purposes of illustration in connection with any of the branches enumerated, and the payment of salaries of instructors in said branches only; but, in case of machinery (such as boilers, engines, pumps, etc.) and farm stock, which are made to serve for both instructional and other purposes, the Federal funds may be charged with only an equitable portion of the cost of said machinery and stock.

BUILDINGS.

The expenditure of any portion of these funds for the purchase, erection, preservation, or repair of any building or buildings under any pretense whatever is specifically prohibited by the act (sec. 3); the purchase of land is not allowable (decision of Assistant Attorney General, Mar., 1891), nor expenditures for permanent improvement to buildings, grounds, and farms, such as clearing, draining, and fencing of land.

SALARIES OF ADMINISTRATIVE OFFICERS.

The salaries of purely administrative officers, such as treasurers (decision of Assistant Attorney General, Mar. 7, 1894), presidents, secretaries, bookkeepers, janitors, watchmen, etc., can not be charged to this fund, nor the salaries of other administrative officers, like superintendents, foremen, and matrons, and the wages of unskilled laborers and assistants in shops, laboratories, and fields; nor can it be expended for heating or lighting buildings, musical instruments, military equipment, furniture, cases, shelving, desks, blackboards, tables, lockers, salaries of instructors in philosophy, psychology, ethics, logic, history, political science, civics, pedagogy, military science and tactics, and in ancient and modern languages (except English). When an administrative officer also gives instruction in any of the branches of study mentioned in the act of August 30, 1890, or when an instructor gives such instruction and also devotes part of his time to giving instruction in branches of study not mentioned in the said act, only a part of such person's salary proportionate to the time devoted to giving instruction in the branches of study mentioned in the said act of August 30, 1890, can be charged to these funds. In the division of time between instructional and other services, one hour of instruction shall be regarded as the equivalent of two hours of administrative, supervisory, or experiment station work.

EXTENSION WORK.

No part of the funds received under the provisions of the acts of 1890 and 1907 may be used for any form of extension work, and all instruction must be given at the institutions receiving these funds, except that a reasonable portion of the funds provided by the act of 1907 may be used for the instruction of teachers in agriculture, mechanic arts, and domestic science at summer schools, teachers' institutes, and by correspondence, and in supervising and directing work in these subjects in high schools.

TRAINING OF TEACHERS.

All or a part of the funds provided by the act of March 4, 1907, may be used "for providing courses for the special preparation of instructors for teaching the elements of agriculture and mechanic arts." It is held that this language authorizes expenditures for instruction in the history of agriculture and industrial education, in methods of teaching agriculture, mechanic arts, and home economics, and also for special aid and supervision given to teachers actively engaged in teaching agriculture, mechanic arts, and home economics in public schools. It does not authorize expenditures for general courses in pedagogy, psychology, history of education, and methods of teaching.

REGULATIONS OF THE POST OFFICE DEPARTMENT CONCERNING FREE TRANSMISSION OF AGRICULTURAL COLLEGE PUBLICATIONS.

Section 515 of the Postal Laws and Regulations (1902) of the United States relating to the free transmission of reports of agricultural colleges reads as follows:

SEC. 515. One copy of each of the annual reports required by law to be made to the Secretary of the Interior and the Secretary of Agriculture, by such colleges as are or may hereafter be established for the benefit of agriculture and the mechanic arts in the several States and Territories under the provisions of the act of July 2, 1862, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," and the acts amendatory thereof * * * shall be transmitted by mail free, by each, to all the other colleges which may be endowed under the provisions of this act (of July 2, 1862), and also one copy to the Secretary of the Interior and the Secretary of Agriculture.

2. Postmasters at offices where colleges are established under the provisions of the act of July 2, 1862, will receive from the officers thereof the reports referred to addressed, one copy each, to such other colleges and to the Secretary of the Interior and the Secretary of Agriculture, and affix to each a penalty label or official envelope of the post office, and forward the same free.

AGRICULTURAL EXPERIMENT STATIONS.

ACT OF 1887 ESTABLISHING AGRICULTURAL EXPERIMENT STATIONS.

[Hatch Act.]

AN ACT To establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to aid in acquiring and diffusing among the people of the United States useful and practical information on subjects connected with agriculture, and to promote scientific investigation and experiment respecting the principles and applications of agricultural science, there shall be established under direction of the college or colleges or agricultural departments of colleges in each State or Territory established, or which may hereafter be established, in accordance with the provisions of an act approved July second, eighteen hundred and sixty-two, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," or any of the supplements to said act, a department to be known and designated as an "agricultural experiment station": *Provided,* That in any State or Territory in which two such colleges have been or may be so established the appropriation hereinafter made to such State or Territory shall be equally divided between such colleges, unless the legislature of such State or Territory shall otherwise direct.

SEC. 2. That it shall be the object and duty of said experiment stations to conduct original researches or verify experiments on the physiology of plants and animals; the diseases to which they are severally subject, with the remedies for the same; the chemical composition of useful plants at their different stages of growth; the comparative advantages of rotative cropping as pursued under the varying series of crops; the capacity of new plants or trees for acclimation; the analysis of soils and water; the chemical composition of manures, natural or artificial, with experiments designed to test the comparative effects on crops of different kinds; the adaptation and value of grasses and forage plants; the composition and digestibility of the different kinds of

food for domestic animals; the scientific and economic questions involved in the production of butter and cheese; and such other researches or experiments bearing directly on the agricultural industry of the United States as may in each case be deemed advisable, having due regard to the varying conditions and needs of the respective States and Territories.

SEC. 3. That in order to secure, as far as practicable, uniformity of methods and results in the work of said stations, it shall be the duty of the United States Commissioner [now Secretary] of Agriculture to furnish forms, as far as practicable, for the tabulation of results of investigation or experiment; to indicate from time to time such lines of inquiry as to him shall seem most important, and, in general, to furnish such advice and assistance as will best promote the purpose of this act. It shall be the duty of each of said stations annually, on or before the first of February, to make to the governor of the State or Territory in which it is located a full and detailed report of its operations, including a statement of receipts and expenditures, a copy of which report shall be sent to each of said stations, to the said Commissioner [now Secretary] of Agriculture, and to the Secretary of the Treasury of the United States.

SEC. 4. That bulletins or reports of progress shall be published at said stations at least once in three months, one copy of which shall be sent to each newspaper in the States or Territories in which they are respectively located, and to such individuals actually engaged in farming as may request the same and as far as the means of the station will permit. Such bulletins or reports and the annual reports of said stations shall be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General may from time to time prescribe.

SEC. 5. That for the purpose of paying the necessary expenses of conducting investigations and experiments and printing and distributing the results as hereinbefore prescribed, the sum of fifteen thousand dollars per annum is hereby appropriated to each State, to be specially provided for by Congress in the appropriations from year to year, and to each Territory entitled under the provisions of section eight of this act, out of any money in the Treasury proceeding from the sales of public lands, to be paid in equal quarterly payments on the first day of January, April, July, and October in each year, to the Treasurer or other officer duly appointed by the governing boards of said colleges to receive the same, the first payment to be made on the first day of October, eighteen hundred and eighty-seven: *Provided, however,* That out of the first annual appropriation so received by any station an amount not exceeding one-fifth may be expended in the erection, enlargement, or repair of a building or buildings necessary for carrying on the work of such station; and thereafter an amount not exceeding five per centum of such annual appropriation may be so expended.

SEC. 6. That whenever it shall appear to the Secretary of the Treasury from the annual statement of receipts and expenditures of any of said stations that a portion of the preceding annual appropriation remains unexpended, such amount shall be deducted from the next succeeding annual appropriation to such station, in order that the amount of money appropriated to any station shall not exceed the amount actually and necessarily required for its maintenance and support.

SEC. 7. That nothing in this act shall be construed to impair or modify the legal relation existing between any of the said colleges and the government of the States or Territories in which they are respectively located.

SEC. 8. That in States having colleges entitled under this section to the benefits of this act and having also agricultural experiment stations established by law separate from said colleges, such States shall be authorized to apply such benefits to experiments at stations so established by such States; and in case any State shall have established, under the provisions of said act of July second aforesaid, an agricultural department or experimental station in connection with any university, college, or institution not distinctly an agricultural college or school, and such State shall have established or shall hereafter establish a separate agricultural college or school, which

shall have connected therewith an experimental farm or station, the legislature of such State may apply in whole or in part the appropriation by this act made to such separate agricultural college or school, and no legislature shall by contract, express or implied, disable itself from so doing.

SEC. 9. That the grants of moneys authorized by this act are made subject to the legislative assent of the several States and Territories to the purposes of said grants: *Provided*, That payment of such installments of the appropriation herein made as shall become due to any State before the adjournment of the regular session of its legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof duly certified to the Secretary of the Treasury.

SEC. 10. Nothing in this act shall be held or construed as binding the United States to continue any payments from the Treasury to any or all the States or institutions mentioned in this act, but Congress may at any time amend, suspend, or repeal any or all the provisions of this act.

Approved, March 2, 1887 (24 Stat. L., 440).

ACT OF 1888 AMENDING (HATCH) ACT OF 1887.

AN ACT To amend an act entitled "An act to establish agricultural stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and the acts supplementary thereto."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grant of money authorized by the act of Congress entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of acts supplementary thereto," are subject as therein provided to the legislative assent of the States or Territories to be affected thereby; but as to such installments of the appropriations as may be now due or may hereafter become due, when the legislature may not be in session, the governor of said State or Territory may make the assent therein provided, and upon a duly certified copy thereof to the Secretary of the Treasury he shall cause the same to be paid in the manner provided in the act of which this is amendatory, until the termination of the next regular session of the legislature of such State or Territory.

Approved, June 7, 1888 (25 Stat. L., 176).

PROVISO IN ACT MAKING APPROPRIATIONS FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE FISCAL YEAR ENDING JUNE 30, 1890, FURTHER DEFINING WORK OF STATIONS ESTABLISHED UNDER ACT OF MARCH 2, 1887 (HATCH ACT).

That, as far as practicable, all such stations shall devote a portion of their work to the examination and classification of soils of their respective States and Territories, with a view to securing more extended knowledge and better development of their agricultural capabilities.

Approved, March 2, 1889 (25 Stat. L., 841).

ACT OF 1906 FOR THE FURTHER ENDOWMENT OF AGRICULTURAL EXPERIMENT STATIONS.

[Adams Act.]

AN ACT To provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, to be paid as hereinafter provided, to each State and Territory, for the more complete endowment and

maintenance of agricultural experiment stations now established or which may hereafter be established in accordance with the act of Congress approved March second, eighteen hundred and eighty-seven, the sum of five thousand dollars in addition to the sum named in said act for the year ending June thirtieth, nineteen hundred and six, and an annual increase of the amount of such appropriation thereafter for five years by an additional sum of two thousand dollars over the preceding year, and the annual amount to be paid thereafter to each State or Territory shall be thirty thousand dollars, to be applied only to paying the necessary expenses of conducting original researches or experiments bearing directly on the agricultural industry of the United States, having due regard to the varying conditions and needs of the respective States or Territories.

SEC. 2. That the sums hereby appropriated to the States and Territories for the further endowment and support of agricultural experiment stations shall be annually paid in equal quarterly payments on the first day of January, April, July, and October of each year by the Secretary of the Treasury, upon the warrant of the Secretary of Agriculture, out of the Treasury of the United States, to the treasurer or other officer duly appointed by the governing boards of said experiment stations to receive the same, and such officers shall be required to report to the Secretary of Agriculture on or before the first day of September of each year a detailed statement of the amount so received and of its disbursement, on schedules prescribed by the Secretary of Agriculture. The grants of money authorized by this act are made subject to legislative assent of the several States and Territories to the purpose of said grants: *Provided*, That payment of such installments of the appropriation herein made as shall become due to any State or Territory before the adjournment of the regular session of legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof, duly certified by the Secretary of the Treasury.

SEC. 3. That if any portion of the moneys received by the designated officer of any State or Territory for the further and more complete endowment, support, and maintenance of agricultural experiment stations as provided in this act shall by any action or contingency be diminished or lost or be misapplied, it shall be replaced by said State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory; and no portion of said moneys exceeding five per centum of each annual appropriation shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings, or to the purchase or rental of land. It shall be the duty of each of said stations annually, on or before the first day of February, to make to the governor of the State or Territory in which it is located a full and detailed report of its operations, including a statement of receipts and expenditures, a copy of which report shall be sent to each of said stations, to the Secretary of Agriculture, and to the Secretary of the Treasury of the United States.

SEC. 4. That on or before the first day of July in each year after the passage of this act the Secretary of Agriculture shall ascertain and certify to the Secretary of the Treasury as to each State and Territory whether it is complying with the provisions of this act and is entitled to receive its share of the annual appropriation for agricultural experiment stations under this act and the amount which thereupon each is entitled, respectively, to receive. If the Secretary of Agriculture shall withhold a certificate from any State or Territory of its appropriation, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the close of the next Congress, in order that the State or Territory may, if it shall so desire, appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury; and the Secretary of Agriculture is hereby charged with the proper administration of this law.

SEC. 5. That the Secretary of Agriculture shall make an annual report to Congress on the receipts and expenditures and work of the agricultural experiment stations in all of the States and Territories, and also whether the appropriation of any State or Territory has been withheld, and if so, the reason therefor.

SEC. 6: That Congress may at any time amend, suspend, or repeal any or all of the provisions of this act.

Approved. March 16, 1906 (34 Stat. L., 63).

PROVISIONS OF ACT MAKING APPROPRIATIONS FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE FISCAL YEAR ENDING JUNE 30, 1907, CONSTRUING THE ACT OF MARCH 16, 1906 (ADAMS ACT).

The act of Congress approved March sixteenth, nineteen hundred and six, entitled "An act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof," shall be construed to appropriate for each station the sum of five thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and six, the sum of seven thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and seven, the sum of nine thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and eight, the sum of eleven thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and nine, the sum of thirteen thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and ten, and the sum of fifteen thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and eleven. The sum of five thousand dollars appropriated for the fiscal year nineteen hundred and six shall be paid on or before June thirtieth, nineteen hundred and six, and the amounts appropriated for the subsequent years shall be paid as provided in the said act to each State and Territory for the more complete endowment and maintenance of agricultural experiment stations now established or which may hereafter be established in accordance with the act of Congress approved March second, eighteen hundred and eighty-seven.

Approved, June 30, 1906 (34 Stat. L., 669, 696).

APPROPRIATIONS FOR THE STATE STATIONS.

[Annual appropriations for State agricultural experiment stations, in the act making appropriations for the United States Department of Agriculture for the fiscal year ending June 30, 1917.]

To carry into effect the provisions of an act approved March second, eighteen hundred and eighty-seven, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto," the sums apportioned to the several States and Territories, to be paid quarterly in advance, \$720,000;

To carry into effect the provisions of an act approved March sixteenth, nineteen hundred and six, entitled "An act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof," the sums apportioned to the several States and Territories, to be paid quarterly in advance, \$720,000: *Provided*, That not to exceed \$15,000 shall be paid to each State and Territory under this act.

COOPERATION OF BUREAUS OF THE UNITED STATES DEPARTMENT OF AGRICULTURE WITH THE STATE EXPERIMENT STATIONS.

The act making appropriations for the United States Department of Agriculture for the fiscal year ending June 30, 1916, provides for cooperation between the Bureau of Animal Industry and the State experiment stations in animal feeding and breeding; between the Bureau of Plant Industry and the stations in the testing and breeding of fiber plants, including the testing of flax straw for paper making (in cooperation with the North Dakota Agricultural College); between the Bureau of Soils and the stations in the investigation of soils; between the Bureau of Entomology and the stations in the prevention of the spread of gipsy and brown-tail moths; and between the Office of Markets and Rural Organization and the agricultural colleges and experiment stations in studies of cooperation among farmers.

REGULATIONS OF THE POST OFFICE DEPARTMENT CONCERNING FREE TRANSMISSION OF STATION PUBLICATIONS.

Sections 516 and 517 of the Postal Laws and Regulations (1902) of the United States relating to the free transmission of reports and bulletins of the experiment stations read as follows:

TO WHOM PUBLICATIONS MAY BE FRANKED.

SEC. 516. Bulletins or reports of progress, one copy to each newspaper in the State or Territory in which the colleges hereafter referred to are located, and to such individuals actually engaged in farming as may request the same, and the annual reports required by law to be published by the agricultural experiment stations established under the provisions of the act of March 2, 1887, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the various States and Territories under the provisions of an act approved July 2, 1862, and the acts supplementary thereto," for the benefit of agriculture and the mechanic arts (*of said stations*) shall be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General may from time to time prescribe.

HOW THE FRANKING PRIVILEGE IS TO BE USED.

SEC. 517. Agricultural experiment stations which claim the privilege of transmitting free through the mails, under the provisions of the preceding section, bulletins, reports of progress, or annual reports, must make application to the Postmaster General, stating the date of the establishment of such station, its proper name or designation, its official organization, and the names of its officers, the name of the university, college, school, or institution to which it is attached, if any, the legislation of the State or Territory providing for its establishment, and any other granting it the benefits of the provision made by Congress as referred to in the preceding section, accompanied by a copy of the act or acts, and whether any other such station in the same State or Territory is considered, or claims to be, also entitled to the privilege; and also the place where such station is located and the name of the post office where the bulletins and reports will be mailed. The application must be signed by the officer in charge of the station.

2. If such application is allowed by the Postmaster General the postmaster at the proper office will be instructed to admit such bulletins and reports to the mails free of postage, and the officer in charge of the station will be notified thereof.

3. Only such bulletins or reports as shall have been issued after an experiment station became entitled to the privileges of the preceding section can be transmitted

free; and such bulletins or reports may be inclosed in envelopes or wrappers, sealed or unsealed. On the exterior of every envelope, wrapper, or package must be written or printed the name of the station and place of its location, the designation of the bulletin or report inclosed, and the word "Free" over the signature or facsimile thereof of the officer in charge of the station, to be affixed by himself, or by some one duly authorized by him. There may also be written or printed upon the envelope or wrapper a request that the postmaster at the office of delivery will notify the mailing station of the change of address of the addressee, or other reason for inability to deliver the same, and upon a bulk package a request to the postmaster to open and distribute the "franked" matter therein, in accordance with the addresses thereon.

DEPARTMENT OF AGRICULTURE BULLETINS MAY BE FRANKED WITH STATION PUBLICATIONS.

4. Bulletins published by the United States Department of Agriculture, and entitled to be mailed free under the penalty envelope of that department, may also be adopted and mailed by agricultural experiment stations, with such of their own publications as are entitled to free transmission in the mails, under the same regulations; and any bulletins or reports mailable free by any agricultural experiment station under these regulations may be so mailed by any other station entitled to such privilege.

REPORTS OF STATE BOARDS OR DEPARTMENTS OF AGRICULTURE MAY NOT BE FRANKED.

5. If annual reports of an agricultural experiment station are printed by State authority, and consist in part of matter relating to the land-grant college to which such station is attached, then said report entire may be mailed free by the director of the station, provided, in his judgment, the whole consists of useful information of an agricultural character. But the reports of State agricultural departments or boards can not be adopted by agricultural experiment stations in order to secure free circulation of such State reports.

FREE DISTRIBUTION OF ANNUAL REPORTS NOT RESTRICTED.

6. The bulletins and reports of progress issued by agricultural experiment stations can only be sent free to the newspapers and persons stated in the preceding section. The annual reports may be sent free to any address.

FREE TRANSMISSION OF ANNUAL REPORTS TO FOREIGN COUNTRIES.

A part of section 544, relating to free transmission of annual reports to certain foreign countries, reads as follows:

The annual reports of agricultural experiment stations may be sent free to Canada, Cuba, and Mexico.

RETURN AND DISPOSAL OF UNCLAIMED MATTER.

A part of section 672, relating to the return and disposal of unclaimed official matter, as amended April 26, 1912, reads as follows:

Unclaimed official mail sent under penalty envelope or label or the frank of a Member of Congress and unclaimed reports and bulletins sent out from State agricultural colleges and from agricultural experiment stations will be returned to the office of mailing if it is known. If the office of origin can not be ascertained, such mail will be returned to the post office at Washington, D. C.

FREE TRANSMISSION TO UNITED STATES POSSESSIONS.

An order of the Postmaster General provides—

Any article entitled to transmission free of postage in the domestic mails of the United States, either in a "penalty" envelope or under a duly authorized "frank," shall be entitled likewise to transmission in the mails free of postage between places in any possession of the United States from one to another of such possessions, from the United States to such possession, and from such possession to the United States.

POSTAL CARDS MAY BE SENT FREE WITH BULLETINS.

Among rulings on matters of detail the following are the most important:

In sending out bulletins from an agricultural experiment station it is permissible to inclose postal cards to enable correspondents of the station to acknowledge the receipt of its publications and to request their continuous transmission.

PAID-FOR PUBLICATIONS MAY NOT BE FRANKED.

Copies of the reports or bulletins of the agricultural experiment stations, which are purchased, paid, or subscribed for, or otherwise disposed of for gain, when sent in the mails, are not entitled to free carriage under the "frank" of the director of station.

TYPEWRITTEN OR MECHANICALLY DUPLICATED BULLETINS OR REPORTS MAY BE FRANKED.

Station bulletins and reports, consisting of typewritten matter duplicated on a mimeograph or other duplicating machine, "retain their character as free matter when properly franked by the director of the station."

HOW CARD BULLETINS MAY BE FRANKED.

Cards upon which are printed bulletins issued by agricultural experiment stations established under the provisions of the act of March 2, 1887, may be sent openly in the mails, free of postage, provided the address side of such cards bears the indicia prescribed in paragraph 3, section 517, Postal Laws and Regulations, for envelopes used by the experiment stations referred to in mailing copies of their bulletins and reports.

REPORTS OF STATE BOARDS AND DEPARTMENTS OF AGRICULTURE AND COLLEGE CATALOGUES MAY NOT BE SENT UNDER STATION FRANK.

Reports of the State boards of agriculture or other State boards, commissioners, or officers, even though they contain station bulletins and reports, can not be sent free through the mails under the frank of the director of the station. The catalogue of the college of which the station is a department can not be sent free through the mails under the frank of the director of the station, whether said catalogue is published separately or is bound together with a station publication.

RULINGS OF THE TREASURY DEPARTMENT AFFECTING AGRICULTURAL EXPERIMENT STATIONS.

From copies of letters addressed to the Secretary of the Treasury and others by the First Comptroller of the Treasury, relating to the construction of the acts of Congress of March 2, 1887 (Hatch Act),

and March 16, 1906 (Adams Act), and acts supplementary thereto, the following digest has been prepared. The dates of the decisions by the comptroller are given:

ANNUAL FINANCIAL STATEMENT.

The annual financial statement of the stations, with vouchers, should not be sent to the Treasury Department, but a copy simply of the report that is made to the governor is to be sent to the Secretary of the Treasury. January 30, 1888.

REQUIREMENTS OF FISCAL OFFICERS.

1. The Treasury Department will not require officers of experiment stations to do or perform anything not specifically required by said bill.
2. The Secretary of the Treasury is not required to take a bond of the officers of said stations for the money paid over under the provisions of said act.
3. No reports will be required from the stations directly to the Secretary of the Treasury; but the governor of the State must send to the Secretary of the Treasury a copy of the report made to him by the collèges or stations. January 31, 1888.

SALE OF STATION BULLETINS.

The Solicitor of the Treasury writes: "I am of the opinion that there is no authority for an agricultural experiment station to sell its bulletins outside of the State or Territory. Congress appropriates for the publication and free distribution of the bulletins and neither expressly nor by necessary implication authorizes their sale." December 16, 1895.

ANTICIPATION OF FIRST QUARTER PAYMENTS.

The fiscal year commences on the 1st day of July, corresponding with the fiscal year of the Government.

An agricultural station entitled to the benefits of * * * appropriations made by Congress can anticipate the payment to be made July 1, and make contracts of purchases prior to that time, if it shall be necessary to carry on the work of the station. Of course, no portion of said appropriations paid in quarterly installments can be drawn from the Treasury unless needed for the purposes indicated in the act; and so much of what is so drawn as may not have been expended within the year must be accounted for as part of the appropriation for the following year. August 2, 1888.

ESTABLISHMENT OF INDEPENDENT STATIONS.

The [Hatch] Act contemplates that where stations have already been established disconnected from the colleges the legislatures of such States may make such provisions in regard thereto as they may deem proper; but it does not authorize the establishment of stations except in connection with the colleges that were at that time or might hereafter be established under the act of July 2, 1862. January 30, 1888.

DIVISION OF FUNDS BETWEEN STATIONS ALREADY ESTABLISHED.

Where there is an agricultural college or station which may have been established by State authority and is maintained by the State, the eighth section of the above act would authorize the State to designate the station to which it desired the appropriation to be applied, whether to one or more, or all, and the Secretary of the Treasury should make the payment under the appropriation to whichever one the State might desire. February 14, 1888.

DESIGNATION OF BENEFICIARIES OF THE HATCH FUND BY STATE LEGISLATURES.

1. When an agricultural college or station has been established under the act of July 2, 1862, each college is entitled to the benefits of the provisions of said act (i. e., of Mar. 2, 1887).

2. In a State where an agricultural college has been established under the act of July 2, 1862, and agricultural stations have also been established, either under the act of July 2, 1862, or by State authority, before March 2, 1887, the legislature of such State shall determine which one of said institutions, or how many of them, shall receive the benefits of the act of March 2, 1887.

3. If the legislature of any State in which an agricultural college has been established under the act of July 2, 1862, desires to establish an agricultural station which shall be entitled to the benefits of said act, it must establish such station in connection with said college. February 15, 1888.

It is within the power of the legislature of any State that has accepted the provisions of said act of March 2, 1887, to dispose of the amount appropriated by Congress for said station to each one or all of the agricultural colleges or stations which may have been established in said State by virtue of either the provisions of the act of July 2, 1862, or the provisions of said eighth section of the act of March 2, 1887.

The whole responsibility rests upon the State legislature as to how the fund appropriated by Congress shall be distributed among these various institutions of the State, provided there is one or more agricultural colleges with which an agricultural station is connected or one or more agricultural stations. December 7, 1888.

RULINGS OF THE COMPTROLLER OF THE TREASURY REGARDING UNEXPENDED BALANCES OF APPROPRIATIONS, HATCH AND ADAMS ACTS.

Section 3 of the so-called Adams Act of March 16, 1906 (34 Stat., 63), which provides for an increased annual appropriation for agricultural experiment stations, requires that such part of the money appropriated under the provisions of said act as may be diminished or lost or misapplied after being received by the officer of the State or Territory designated to receive same must "be replaced by said State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory"; and this requirement is an absolute prohibition upon the apportionment until such replacement is actually made, a mere withholding from the subsequent appropriation of an amount equal to that diminished, lost, or misapplied not being a compliance with said statute. (18 Comp. Dec., 120.)

Such funds may be replaced by expending the amount involved for the purposes for which the funds were originally appropriated, to the satisfaction of the Secretary of Agriculture. There is "no limitation on time within which the replacement shall be made," but "no apportionment whatever can be made until the misapplied moneys are replaced."

The provision in the Hatch Act of March 2, 1887 (24 Stat., 440), requiring the deduction of unexpended apportionments of appropriations applies also to appropriations under the Adams Act of March 16, 1906 (34 Stat., 63). (18 Comp. Dec., 485.)

Such unexpended balances must be accounted for as a part of the appropriation for the next succeeding year; in short, each station must account every year for the specific sum (\$15,000) provided by

Congress, although the amount actually paid to the station in any one year may be less than \$15,000 on account of the deduction of an unexpended balance for the preceding fiscal year.

RULINGS OF THE DEPARTMENT OF AGRICULTURE ON THE WORK AND EXPENDITURES OF AGRICULTURAL EXPERIMENT STATIONS.

In connection with examinations of the work and expenditures of the agricultural experiment stations established in accordance with the act of Congress of March 2, 1887, and further endowed under act of Congress of March 16, 1906, under authority given to the Secretary of Agriculture by Congress, questions have arisen which have seemed to make it advisable to formulate the views of this department on certain matters affecting the management of the stations under those acts. The rulings which have been made from time to time on points which seemed to require special attention are as follows:

PERMANENT SUBSTATIONS.

This department holds that the expenditure of funds appropriated in accordance with the provisions of the act of Congress of March 2, 1887, for the maintenance of permanent substations is contrary to the spirit and intent of said act. The act provides for an experiment station in each State and Territory, which, except in cases specified in the act, is to be a department of the college established under the act of Congress of July 2, 1862. The objects of the stations, as defined in the first-mentioned act, are evidently of such a character as to necessitate the services of scientific and expert workers. Most of the lines of investigation named in the act are general, rather than local, and involve scientific equipment and work. It is obviously the intent that the stations established under this act shall carry on important investigations which shall be of general benefit to the agriculture of the several States and Territories. The sum of \$15,000, which is annually appropriated by Congress under this act for each station, is only sufficient to carry out a limited number of investigations of the kind contemplated by the act.

As the work of the stations in the different States has developed it has been found necessary to limit, rather than expand, the lines of work of the individual stations. Thorough work in a few lines has been found more effective and productive of more useful results than small investigations in numerous lines. When we consider the nature of the investigations, the amount of money provided for the work of each station, and the fact that the act expressly provides for only a single station in connection with each college, it becomes very clear that expenditures such as are necessary to effectually maintain permanent substations ought not to be made from the funds granted by Congress to the States and Territories for experiment stations. The maintenance of permanent substations, as a rule, involves the erection of buildings and the making of other permanent improvements. The sums of money which can be expended for permanent improvements under the act of Congress aforesaid are so small that it is clear they were not intended to meet the needs of more than one station in each State and Territory.

When the legislature of a State or Territory has given its assent to the provisions of the act of Congress of March 2, 1887, and has designated the institution which shall receive the benefits of said act, it would seem to have exhausted its powers in the matter. The responsibility for the maintenance of an experiment station under said act devolves upon the governing board of the institution thus designated. If the legislature of the State or Territory sees fit to provide funds for the equipment and mainte-

nance of other experiment stations and to put them under the control of the same governing board, well and good, but this does not in any way diminish the responsibility of the board to administer the funds granted by Congress in accordance with the provisions of said act.

The wisdom of Congress in limiting the number of stations to be established in each State and Territory under the aforesaid act has been clearly shown by the experience of the few States and Territories which have attempted the maintenance of substations with the funds granted under said act. The expense of maintaining substations has, as a rule, materially weakened the central station, and the investigations carried on at the substations have been superficial and temporary. It is granted that in many States and Territories more than one agricultural experiment station might do useful work, and in some States more than one station has already been successfully maintained; but in all these cases the State has given funds from its own treasury to supplement those given by Congress. It is also granted that experiment stations established under said act of Congress and having no other funds than those provided by that act will often need to carry on investigations in different localities in their respective States and Territories, but it is held that this should be done in such a way as will secure the thorough supervision of such investigations by the expert officers of the station and that arrangements for such experimental inquiries should not be of so permanent a character as to prevent the station from shifting its work from place to place as circumstances may require nor involve the expenditure of funds in such amounts and in such ways as will weaken the work of the station as a whole.

As far as practicable the cooperation of individuals and communities benefited by these special investigations should be sought and, if necessary, the aid of the States invoked to carry on enterprises too great to be successfully conducted within the limits of the appropriation granted by Congress under the act aforesaid.

PURCHASE OR RENTAL OF LANDS FOR AGRICULTURAL EXPERIMENT STATIONS.

This department holds that the purchase or rental of lands by the experiment stations from the funds appropriated in accordance with the provisions of the act of Congress of March 2, 1887, is contrary to the spirit and intent of said act. The act provides for "paying the necessary expenses of conducting investigations and experiments and printing and distributing the results. * * * *Provided, however,* That out of the first annual appropriation so received by any station an amount not exceeding one-fifth may be expended in the erection, enlargement, or repair of a building or buildings necessary for carrying on the work of such stations; and thereafter an amount not exceeding five per centum of such annual appropriation may be so expended." The only reference to land for the station in the act is in section 8, where State legislatures are authorized to apply appropriations made under said act to separate agricultural colleges or schools established by the State "which shall have connected therewith an experimental farm or station." The strict limitation of the amount provided for buildings and the absence of any provision for the purchase or rental of lands, when taken in connection with the statement in the eighth section, which treats the farm as in a sense a necessary adjunct of the educational institution to which the whole or a part of the funds appropriated in accordance with said act might in certain cases be devoted, point to the conclusion that it was expected that the institution of which the station is a department would supply the land needed for experimental purposes and that charges for the purchase or rental of lands would not be made against the funds provided by Congress for the experiment station. This conclusion is reinforced by a consideration of a wise and economic policy in the management of agricultural experiment stations, especially as relating to cases in which it might be desirable for the station to have land for experimental purposes in different localities. The investigations carried on by the stations in such cases being for the direct benefit of agriculture in the localities where the work is done, it seems only reasonable that

persons or communities whose interests will be advanced by the station work should contribute the use of the small tracts of land which will be required for experimental purposes. Experience shows that in most cases the stations have had no difficulty in securing such land as they needed without expense, and it is believed that this may be done in every case without injuriously affecting the interests of the stations.

AGRICULTURAL EXPERIMENT STATIONS FOR CARRYING ON FARM OPERATIONS.

This department holds that expenses incurred in conducting the operations of farms, whether the farms are connected with institutions established under the act of Congress of July 2, 1862, or not, are not a proper charge against the funds appropriated by Congress for agricultural experiment stations in accordance with the act of Congress of March 2, 1887, unless such operations definitely constitute a part of agricultural investigations or experiments planned and conducted in accordance with the terms of the act aforesaid, under rules and regulations prescribed by the governing board of the station. The performance of ordinary farm operations by an experiment station does not constitute experimental work. Operations of this character by an experiment station should be confined to such as are a necessary part of experimental inquiries. Carrying on a farm for profit or as a model farm, or to secure funds which may be afterwards devoted to the erection of buildings for experiment station purposes, to the further development of experimental investigation, or to any other purpose, however laudable and desirable, is not contemplated by the law as a part of the functions of an agricultural experiment station established under the act of Congress of March 2, 1887. Section 5 of that act plainly limits the expenditures of funds appropriated in accordance with said act to "the necessary expenses of conducting investigations and experiments and printing and distributing the results."

SALES FUNDS OF AN AGRICULTURAL EXPERIMENT STATION.

This department holds that moneys received from the sales of farm products or other property in the possession of an agricultural experiment station as the result of expenditures of funds received by the station in accordance with the act of Congress of March 2, 1887, rightfully belong to the experiment station as a department of the college or other institution with which it is connected, and may be expended in accordance with the laws or regulations governing the financial transactions of the governing board of the station, provided, however, that all expenses attending such sales, including those attending the delivery of the property into the possession of the purchaser, should be deducted from the gross receipts from the sales and should not be made a charge against the funds appropriated by Congress.

LIMIT OF EXPENDITURES OF EXPERIMENT STATIONS DURING ONE FISCAL YEAR.

This department holds that expenses incurred by an agricultural experiment station in any one fiscal year to be paid from the funds provided under the act of Congress of March 2, 1887, should not exceed the amount appropriated to the station by Congress for that year, and especially that all personal services should be paid for out of the appropriation of the year in which they were performed, and that claims for compensation for such services can not properly be paid out of the appropriations for succeeding years. The several appropriations for experiment stations under the aforesaid act are for one year only, and officers of experiment stations have no authority to contract for expenditures beyond the year for which Congress has made appropriations.

This is plainly implied in the act aforesaid, inasmuch as section 6 provides that unexpended balances shall revert to the Treasury of the United States, "in order that the amount of money appropriated to any station shall not exceed the amount actually and necessarily required for its maintenance and support." The annual financial report rendered in the form prescribed by this department should in every case include only the receipts and expenditures of the fiscal year for which the report is made.

EXPENDITURES FOR A WATER SYSTEM TO BE CHARGED UNDER "BUILDINGS AND REPAIRS."

This department holds that expenditures by agricultural experiment stations from the funds appropriated in accordance with the act of Congress of March 2, 1887, for the construction of wells, cisterns, ponds, or other reservoirs for the storage of water, and for piping, and other materials for a system of storing and distributing water, are properly charged, under abstract 18 in the schedule for financial reports prescribed by this department, as being for improvements on lands which have hitherto been held to come under the head of "buildings and repairs." The fact that a water system may be a necessary adjunct of certain experimental inquiries does not affect the case, inasmuch as the limitations on expenditures for improvements contained in section 5 of the act of Congress of March 2, 1887, expressly stipulate that these improvements shall be such as are necessary for carrying on the work of the station.

MEMBERSHIP FEES IN AGRICULTURAL AND OTHER ORGANIZATIONS.

This department holds that membership fees in associations and other organizations are not a proper charge against the funds appropriated by Congress in accordance with the act of March 2, 1887, except in the case of the Association of American Agricultural Colleges and Experiment Stations, which is held to be an essential part of the system of experiment stations established under said act.

THE BORROWING OF MONEY BY AGRICULTURAL EXPERIMENT STATIONS.

This department holds that experiment station officers have no authority to borrow money to be repaid out of appropriations made under the act of Congress of March 2, 1887, and that charges for interest can not properly be made against funds appropriated under that act.

THE USE OF EXPERIMENT STATION FUNDS FOR COLLEGE PURPOSES.

This department holds that no portion of the funds appropriated by Congress in accordance with the act of March 2, 1887, can legally be used, either directly or indirectly, for paying the salaries or wages of professors, teachers, or other persons whose duties are confined to teaching, administration, or other work in connection with the courses of instruction given in the colleges with which the stations are connected or in any other educational institution; nor should any other expenses connected with the work or facilities for instruction in school or college courses be paid from said fund. In case the same persons are employed in both the experiment station and the other departments of the college with which the station is connected a fair and equitable division of salaries or wages should be made, and in case of any other expenditures for the joint benefit of the experiment station and the other departments of the college the aforesaid funds should be charged with only a fair share of such expenditures.

EXPENSES FOR EXTENSION WORK NOT CHARGEABLE TO THE HATCH FUND.

[Extract from circular letter of the Director of the Office of Experiment Stations of Feb. 25, 1909.]

Expenses for extension work should not be charged against the Hatch fund, and * * * only such printing should be done with that fund as will record the experimental work of the stations established under the Hatch Act. * * *

ACCOUNTING AND USES OF THE ADAMS FUND.

[Extract from circular letter of the Secretary of Agriculture of Mar. 20, 1906.]

Under the terms of the act it will be necessary that a separate account of the Adams fund shall be kept at each station, which should be open at all times to the inspection

of the Director of the Office of Experiment Stations or his accredited representative. * * *

The Adams fund is "to be applied only to paying the necessary expenses of conducting original researches or experiments bearing directly on the agricultural industry of the United States." It is for the "more complete endowment and maintenance" of the experiment stations, presupposing the provision of a working plant and administrative officers. Accordingly, expenses for administration, care of buildings and grounds, insurance, office furniture and fittings, general maintenance of the station farm and animals, verification and demonstration experiments, compilations, farmers' institute work, traveling, except as is immediately connected with original researches in progress under this act, and other general expenses for the maintenance of the experiment stations, are not to be charged to this fund. The act makes no provision for printing or for the distribution of publications, which should be charged to other funds. * * *

CLASSIFICATION OF ACCOUNTS.

In accordance with the requirement that the Secretary of Agriculture shall prescribe the form of the annual financial statement required under the Hatch and Adams Acts, forms are issued by the Office of Experiment Stations which provide for the classification of station accounts under 18 ledger headings, as follows:

- (1) *Salaries*—administrative, technical, and clerical.
- (2) *Labor*, regular and temporary, in connection with experiments.
- (3) *Publications*, printing, illustration, envelopes for mailing, etc.
- (4) *Postage and stationery*, including means of communication, such as telephone, telegraph, and cable service; and stationery for office and record purposes, forms, index cards, etc.
- (5) *Freight and express*, including drayage or other charges for handling freight.
- (6) *Heat, light, water, and power*.
- (7) *Chemicals and laboratory supplies* for all departments of the station, not including apparatus of permanent character.
- (8) *Seeds, plants, and sundry supplies* not otherwise provided for, for various departments.
- (9) *Fertilizers*, including water for irrigation.
- (10) *Feeding stuffs* for work animals and those under experiment.
- (11) *Library*—books, periodicals, and binding, but not including equipment or general supplies.
- (12) *Tools, machinery, and appliances*, such as agricultural implements and machines, motors, mills, pumps, vehicles, harness, and small movable structures like animal cages, brooders, or shelters, including repairs to same.
- (13) *Furniture and fixtures* for offices and laboratories—desks, cases, typewriters, and office appliances.
- (14) *Scientific apparatus and specimens*, including mounted insects, fungi, etc.
- (15) *Live stock*, including purchase of animals of all kinds for work or experimental purposes, but not their feeding and care.
- (16) *Traveling expenses* in supervision of station work or in connection with it.
- (17) *Contingent expenses*, to be itemized in detail.
- (18) *Buildings and land*, including all expenses for labor and material for the erection, alteration, and repair of buildings, permanent structures built in place, purchase of permanent fixtures forming part of a building, purchase or rental of land (under Adams fund only), and improvements on land, such as roads, fences, drainage or water systems, etc.

REQUIREMENTS OF EXPERIMENT STATION ACCOUNTING.

[See circular letter of the Director of the Office of Experiment Stations of Mar. 1, 1911.]

The principle which should guide is that all expenditures from the Hatch fund must be for experimental work and publications, and all expenditures from the Adams fund for the projects agreed upon in advance with the Office of Experiment Stations.

In adjusting the salaries of station employees only such portion of their time as is occupied in connection with experimental work and the publication of the results thereof, including correspondence directly relating to the experimental work, should be charged to the Federal funds for the station. All business and correspondence connected with the college, inspection service, and extension department or bureau of information should be paid for from other funds.

The same principle should be applied to all other expenditures from these funds for the maintenance of the station.

The Adams fund expenditures for salaries, labor, travel, apparatus, books, and maintenance should be strictly confined to those necessitated by the projects on file which have been approved by this office. Each voucher should be indorsed with the title of the project for which the expenditure was incurred, and be O. K'd by the officer in immediate charge of the project, as well as by the director.

Separate accounts should be kept for the Hatch, Adams, and sales funds, and as far as practicable separate vouchers should be on file for each of these funds.

The sales funds should be used only for experiment station work and publications and not for inspection or extension work or compiled publications.

Bills for printing, illustrations, preparation of MS., or mailing of publications should not be charged to the Hatch fund unless the publications clearly record the experimental work of the station. Popular bulletins charged to the Hatch fund should expressly show that they embody the results of the station's experimental work. General bulletins of information, circulars containing directions for the use of fertilizers, spraying, etc., which are compiled from well-known sources of information or embody the general or local experience of practical men, and other compiled publications, should not be charged to the Hatch fund.

The expenses of tests and local demonstrations of established results of experimental work or improved practice are not proper charges against the Federal funds for the stations.

In keeping the station books and vouchers and in making up the financial reports strict attention should be paid to the rulings of the department, the published scheme of classification of accounts, and the instructions printed on the first page of the financial schedule and in connection with the several abstracts thereof.

When changes are made of accountants or clerks, the requirements of the department regarding the details of expenditure and accounting should be brought to the attention of the new incumbents, and care should be taken that approved methods of accounting shall not be changed without consideration of the department's requirements.

ADMINISTRATION OF HATCH AND ADAMS ACTS.

[Extract from report of the Secretary of Agriculture, 1913.]

Efficient station work demands an atmosphere of fairness and justice and reasonable security to the staff. It furthermore requires stability of policy and the highest possible measure of continuity in work and in personnel. Money spent on discontinued or interrupted projects is usually very largely wasted. The director of the station, as the guiding head, is mainly responsible for the success of the station. A good station and a good director go together. The station director deserves to be sustained and supported by the governing board in carrying out the general policy after it is approved

by them. A change in the director is inevitably a temporary shock to the work, often interrupts projects, causes changes in the policy and personnel, and creates an era of uncertainty; hence a change is not justified except when clearly indicated by incompetence or inability. In the discharge of its functions in administering the Federal funds and in seeing that they are properly used, the Department of Agriculture should not fail to take cognizance of so important and vital a change as that of director.

The Adams Act directs that the Secretary of Agriculture shall each year ascertain and certify to the Secretary of the Treasury as to each State and Territory, whether it is complying with the provisions of this act and is entitled to receive a share of the annual appropriation. It authorizes the Secretary to withhold certification, thus suspending payment, and to report the matter to Congress. While the right of the colleges to direct the stations within their States and select the members of the station staff is recognized, radical changes in the personnel or policy of the station, except for good and valid reasons, should, it is believed, be held to be unwarranted interference of the governing board with the conduct of the station. Such action fails to recognize the cardinal principles of efficient administration and places an institution in a position of inability to properly employ the Federal funds. It is believed that such a condition does not warrant the Federal Government in continuing to advance funds to the college or its experiment station, and should lead to the withholding of funds until conditions favorable to their effective use are restored.

COOPERATIVE EXTENSION WORK.

ACT OF 1914 PROVIDING FOR COOPERATIVE EXTENSION WORK.

[Smith-Lever Act.]

AN ACT To provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July second, eighteen hundred and sixty-two, and of acts supplementary thereto, and the United States Department of Agriculture.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to aid in diffusing among the people of the United States useful and practical information on subjects relating to agriculture and home economics, and to encourage the application of the same, there may be inaugurated in connection with the college or colleges in each State now receiving, or which may hereafter receive, the benefits of the act of Congress approved July second, eighteen hundred and sixty-two, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts" (Twelfth Statutes at Large, page five hundred and three), and of the act of Congress approved August thirtieth, eighteen hundred and ninety (Twenty-sixth Statutes at Large, page four hundred and seventeen and chapter eight hundred and forty-one), agricultural extension work which shall be carried on in cooperation with the United States Department of Agriculture: *Provided*, That in any State in which two or more such colleges have been or hereafter may be established the appropriations hereinafter made to such State shall be administered by such college or colleges as the legislature of such State may direct: *Provided further*, That, pending the inauguration and development of the cooperative extension work herein authorized, nothing in this act shall be construed to discontinue either the farm management work or the farmers' cooperative demonstration work as now conducted by the Bureau of Plant Industry of the Department of Agriculture.

SEC. 2. That cooperative agricultural extension work shall consist of the giving of instruction and practical demonstrations in agriculture and home economics to persons not attending or resident in said colleges in the several communities, and imparting to such persons information on said subjects through field demonstrations, publications, and otherwise; and this work shall be carried on in such manner as

may be mutually agreed upon by the Secretary of Agriculture and the State agricultural college or colleges receiving the benefits of this act.

SEC. 3. That for the purpose of paying the expenses of said cooperative agricultural extension work and the necessary printing and distributing of information in connection with the same, there is permanently appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$480,000 for each year, \$10,000 of which shall be paid annually, in the manner hereinafter provided, to each State which shall by action of its legislature assent to the provisions of this act: *Provided*, That payment of such installments of the appropriation hereinbefore made as shall become due to any State before the adjournment of the regular session of the legislature meeting next after the passage of this act may, in the absence of prior legislative assent, be made upon the assent of the governor thereof, duly certified to the Secretary of the Treasury: *Provided further*, That there is also appropriated an additional sum of \$600,000 for the fiscal year following that in which the foregoing appropriation first becomes available, and for each year thereafter for seven years a sum exceeding by \$500,000 the sum appropriated for each preceding year, and for each year thereafter there is permanently appropriated for each year the sum of \$4,100,000 in addition to the sum of \$480,000 hereinbefore provided: *Provided further*, That before the funds herein appropriated shall become available to any college for any fiscal year plans for the work to be carried on under this act shall be submitted by the proper officials of each college and approved by the Secretary of Agriculture. Such additional sums shall be used only for the purposes hereinbefore stated, and shall be allotted annually to each State by the Secretary of Agriculture and paid in the manner hereinbefore provided, in the proportion which the rural population of each State bears to the total rural population of all the States as determined by the next preceding Federal census: *Provided further*, That no payment out of the additional appropriations herein provided shall be made in any year to any State until an equal sum has been appropriated for that year by the legislature of such State, or provided by State, county, college, local authority, or individual contributions from within the State, for the maintenance of the cooperative agricultural extension work provided for in this act.

SEC. 4. That the sums hereby appropriated for extension work shall be paid in equal semiannual payments on the first day of January and July of each year by the Secretary of the Treasury upon the warrant of the Secretary of Agriculture, out of the Treasury of the United States, to the treasurer or other officer of the State duly authorized by the laws of the State to receive the same; and such officer shall be required to report to the Secretary of Agriculture, on or before the first day of September of each year, a detailed statement of the amount so received during the previous fiscal year, and of its disbursement, on forms prescribed by the Secretary of Agriculture.

SEC. 5. That if any portion of the moneys received by the designated officer of any State for the support and maintenance of cooperative agricultural extension work, as provided in this act, shall by any action or contingency be diminished or lost or be misapplied, it shall be replaced by said State to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to said State, and no portion of said moneys shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings, or the purchase or rental of land, or in college-course teaching, lectures in colleges, promoting agricultural trains, or any other purpose not specified in this act, and not more than five per centum of each annual appropriation shall be applied to the printing and distribution of publications. It shall be the duty of each of said colleges annually, on or before the first day of January, to make to the governor of the State in which it is located a full and detailed report of its operations in the direction of extension work as defined in this act, including a detailed statement of receipts and expenditures from all sources for this purpose, a copy of which report shall be sent to the Secretary of Agriculture and to the Secretary of the Treasury of the United States.

SEC. 6. That on or before the first day of July in each year after the passage of this act the Secretary of Agriculture shall ascertain and certify to the Secretary of the Treasury as to each State whether it is entitled to receive its share of the annual appropriation for cooperative agricultural extension work under this act, and the amount which it is entitled to receive. If the Secretary of Agriculture shall withhold a certificate from any State of its appropriation, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the expiration of the Congress next succeeding a session of the legislature of any State from which a certificate has been withheld, in order that the State may, if it should so desire, appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury.

SEC. 7. That the Secretary of Agriculture shall make an annual report to Congress of the receipts, expenditures, and results of the cooperative agricultural extension work in all of the States receiving the benefits of this act, and also whether the appropriation of any State has been withheld, and if so, the reasons therefor.

SEC. 8. That Congress may at any time alter, amend, or repeal any or all of the provisions of this act.

Approved, May 8, 1914 (38 Stat. L., 372).

FRANKING PRIVILEGE.

PROVISION OF ACT MAKING APPROPRIATIONS FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE FISCAL YEAR ENDING JUNE 30, 1915.

All correspondence, bulletins, and reports for the furtherance of the purposes of the act approved May eighth, nineteen hundred and fourteen, entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July second, eighteen hundred and sixty-two, and the acts supplementary thereto, and the United States Department of Agriculture," may be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General, from time to time, may prescribe, by such college officer or other person connected with the extension department of such college as the Secretary of Agriculture may designate to the Postmaster General (38 Stat. L., 415, 438).

In a letter to the Secretary of Agriculture, dated April 28, 1915, the Postmaster General ruled that the above proviso "is regarded as permanent legislation."

ORDER (NO. 8547) OF THE POSTMASTER GENERAL REGARDING THE FRANKING PRIVILEGE UNDER THE SMITH-LEVER ACT.

[Approved Dec. 21, 1914.]

The Postal Laws and Regulations, edition of 1913, are amended by the addition of the following as section 504½:

504½. All correspondence, bulletins, and reports for the furtherance of the purpose of the act approved May 8, 1914 (see paragraph 2 of this section), entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and the acts supplementary thereto, and the United States Department of Agriculture," may be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General from time to time may prescribe, by such college officer or other person connected with the extension department of such college as the Secretary of Agriculture may designate to the Postmaster General. (Act of June 30, 1914.)

2. There may be inaugurated in connection with the college or colleges in each State now receiving, or which may hereafter receive, the benefits of the act of Congress approved July 2, 1862 * * * (12 Stat., 503), and the act of Congress approved August 30, 1890 (26 Stat., 417), agricultural extension work which shall be carried on in cooperation with the United States Department of Agriculture. * * * Cooperative agricultural extension work shall consist of the giving of instruction and practical demonstrations in agriculture and home economics to persons not attending or resident in said colleges in the several communities, and imparting to such persons information on said subjects through field demonstrations, publications, and otherwise. (Act of May 8, 1914.)

3. Upon designation to the Postmaster General by the Secretary of Agriculture of a college officer or other person connected with the extension department of a State agricultural college receiving the benefits of the act of July 2, 1862, and the acts supplementary thereto, by whom the correspondence, bulletins, and reports mentioned in paragraph 1 of this section are to be transmitted, the Third Assistant Postmaster General shall authorize the postmaster at the post office where the extension department of such college is located to accept from the officer or person so designated such correspondence, bulletins, and reports for free transmission in the mails.

4. In the upper left corner of the envelope or wrapper containing such correspondence, bulletins, or reports shall be printed over the words "Free—Cooperative Agricultural Extension Work—Acts of May 8 and June 30, 1914," the name of the agricultural college and the name of the post office at which the matter is to be accepted free, followed by the name and title of the college officer or person designated to transmit such matter, and in the upper right corner the words "Penalty for private use to avoid payment of postage, \$300." The designated college officer or person is not authorized to furnish such envelopes for use as return envelopes by individuals or concerns from whom replies are requested.

5. Only such correspondence, bulletins, and reports as are for the furtherance of the purposes of the act of May 8, 1914, set forth in paragraph 2 of this section, and are mailed at the authorized post office by the college officer or other person duly designated may be transmitted free under the provisions of this section. All such correspondence, etc., to be entitled to free transmission, must be conducted under the name of such designated college officer or person. Correspondence with autograph signature may be mailed sealed, but all other matter shall be presented unsealed.

6. When in doubt as to whether any particular matter presented for mailing under the provisions of this section is entitled to be transmitted free, the postmaster shall submit a sample to the Third Assistant Postmaster General, Division of Classification, and pending decision may dispatch the matter if the sender makes a deposit to cover the postage at the proper rate. The deposit will be refunded if the matter is held to be entitled to free transmission.

INSTRUCTIONS REGARDING THE USE OF PENALTY ENVELOPES OF THE UNITED STATES
DEPARTMENT OF AGRICULTURE BY COOPERATIVE EXTENSION EMPLOYEES.

[Approved by the Secretary of Agriculture May 3, 1916.]

The following instructions, relative to the use of the penalty envelopes of the United States Department of Agriculture, should be strictly observed by all persons engaged in extension work under appointment from the United States Department of Agriculture whether they receive all or any part of their salary from the department.

The use of penalty envelopes is restricted to "matters relating exclusively to the business of the Government," and they must, therefore, be used cautiously and in strict compliance with the law and the postal regulations, their unlawful use being an offense punishable by a maximum fine of \$300. The cooperative agents or employees of the United States Department of Agriculture, any part of whose salary is paid by that department, have the right to use the penalty envelope only on "matters relating exclusively to the business of the Government of the United States" for which appointment from the United States Department of Agriculture is made.

The fact that the agent who receives a part of his salary from the department is also engaged in extension work under the general cooperative agreement with the State agricultural college does not give him the right to use the department penalty envelope for all extension business. His use of such envelope must be confined to those extension enterprises which are covered by the terms of his commission from the department and the projects in which the department funds are used.

In using the official penalty envelope, post card, or tag the following instructions should be observed:

1. *In official correspondence with the United States Department of Agriculture.*—All correspondence addressed to the United States Department of Agriculture pertaining to the work for which the employee receives his Federal appointment may be conducted in penalty envelopes. All such letters should be inclosed in envelopes addressed to the office through which the Federal appointment was made. Such letters must relate entirely to the official public business covered by the appointment which may include the sending in of reports, requests for information, requests for bulletins and supplies and other material needed in the work, and responses to inquiries made by officials of the department.

2. *Correspondence with supervising agents, leaders or directors within the State, and with other field employees holding appointments from the United States Department of Agriculture and engaged in similar work.*—All such correspondence must relate entirely to the official business for which the employee was appointed by the United States Department of Agriculture in order to entitle it to transmission in penalty envelopes.

3. *Correspondence with farmers and other persons.*—Penalty envelopes may be used to transmit through the mails letters of instruction to farmers engaged in carrying on demonstrations, notices of meetings to be held in furtherance of the work for which the agent received his Federal appointment, and of special demonstrations. All such correspondence should relate either to the giving of information to farmers or their families relative to demonstrations conducted under the supervision of the agent, and advice to farmers in answer to their inquiries, or of instruction to farmers and their families regarding some feature of agriculture or home economics taken up by the agent in furtherance of the work for which he was employed by the department.

They may be used to call the attention of the farmers to such farmers' meetings as are held in furtherance of the work for which the agent was employed, but shall not be used to send out notices of meetings of organizations of farmers and business men or indiscriminate announcements of farmers' meetings. In no case should penalty envelopes be used for the purpose of relieving organizations from paying postage on matter issued by the organization and which is therefore properly chargeable with postage.

4. Penalty envelopes must not be used in transacting such private business as sending for catalogues, price lists, seeds, implements, fertilizers, etc., for farmers or groups

of farmers, nor in seeking markets for products of individual farmers or groups of farmers, nor in mailing catalogues, announcements, or price lists of State, county, or other fairs.

5. An addressed return penalty envelope or post card may be sent out to farmers and other persons from whom information is desired, provided such information is to be used strictly in furtherance of the work for which the agent received his Federal appointment. Such use of the penalty envelopes should be made with great caution for fear of the abuse of the privilege by uninstructed individuals. County agents should not send out circular letters of inquiry in penalty envelopes unless they are instructed to do so by their State leader, who should send to the department copies of all such letters which he has approved. Penalty envelopes and tags should never be furnished to farmers or others to be used in sending any commodity through the mails.

6. In all correspondence mailed in penalty envelopes agents should use either department letterheads or letterheads approved by the department which clearly indicate the participation of the United States Department of Agriculture in the cooperative work undertaken by the agent. The form recommended by the States Relations Service is as follows, and may be adapted to meet the needs of each State and county:

Cooperative Extension Work
in
Agriculture and Home Economics,
State of [Massachusetts].

State Agricultural College,
U. S. Department of Agriculture
(other State or county organization)
cooperating.

Extension Service,
County Agent Work.

[Springfield, Mass.]

In this letterhead slight changes if approved by the department may be made in the printed matter, but no change can be made in the general form of heading, and no one of the cooperating parties should be given more prominence than others, and the order indicated must be observed.

Do not use private letterheads or letterheads containing any advertising matter. Letterheads of the agricultural college which do not show the cooperation of the United States Department of Agriculture in the work and which have not been approved by the department should not be used.

7. No private matter whatever should be included in any letter sent in penalty envelopes; the entire letter should relate exclusively to the business of the United States for which the employee received his Federal appointment. Agents should not use official letterheads or envelopes for personal correspondence even though postage is affixed. Letters or circulars sent in penalty envelopes must not be signed by any person except the authorized agent of the United States Department of Agriculture, who must affix his official title and headquarters.

8. *Printed matter.*—Penalty envelopes of the United States Department of Agriculture may be used by agents in distributing bulletins and circulars published by the United States Department of Agriculture which they are authorized to distribute. Bulletins and circulars published by any agricultural college or experiment station may be sent in United States Department of Agriculture penalty envelopes only in cases where such publications contain valuable information on agriculture or home economics which the agent of the department desires to furnish to particular persons who have made inquiry of him for such information or to persons with whom the agent is conducting some demonstration or other special work. Such bulletins or circulars so sent should be accompanied by a letter signed by the agent, with his official title.

Penalty envelopes must not be used for general distribution of bulletins and circulars of the colleges or stations or other organizations. Where miscellaneous requests for bulletins of colleges or stations or other public institutions are received by agents in their official capacity, such requests may be forwarded in a penalty envelope to the proper authority for attention.

Newspapers, clippings, magazines, and other printed matter which contain articles about the work of the agents may be transmitted to the supervising agents of the department in penalty envelopes, but should be accompanied by a letter of transmittal clearly showing that the printed matter is sent in for the purpose of advising the officer to whom it is directed. No literature should be distributed in penalty envelopes commending products of particular firms or individuals.

9. No matter containing commercial, religious, or political announcements or advertisements should ever be sent in penalty envelopes, except in cases where a request is made by an official of the department that the agent send in such pamphlets or printed matter for official purposes.

10. No letters or printed matter soliciting funds for the support of any association or other organization should be sent in penalty envelopes.

11. All official circulars, bulletins, or reports issued by the agent which are to be mailed in penalty envelopes must have had the subject matter and form approved by the State director of extension. On the front page must be clearly shown the cooperation of the United States Department of Agriculture as set forth in the approved form for letterheads, also the name and official title of the agent. No publication of a county organization as such should be distributed in penalty envelopes. Correspondence with autograph signature may be mailed sealed from any post office, but all other matter should be presented unsealed and only at the post office designated for that purpose.

For all other business and in all cases of doubt, do not use penalty envelopes, but pay the postage. Resolve all questions of doubt against the right to use such envelopes or submit for decision particular cases to the head of the office through which the Federal appointment was made.

FUNDS AVAILABLE TO THE STATES UNDER THE SMITH-LEVER ACT.

The following table shows the maximum amounts of money which the several States are eligible to receive from the Federal Government under the Smith-Lever Act as calculated on the proportion which the rural population of each State bears to the total rural population of the United States according to the census of 1910.

Maximum amounts of Federal funds which each State is eligible to receive under the Smith-Lever Act for cooperative agricultural extension work.¹

State.	Rural population, census 1910.	Proportion of total rural population, census 1910.	Fiscal year 1914-15.	Fiscal year 1915-16.	Fiscal year 1916-17.	Fiscal years 1917-18, 1918-19, 1919-20. ² Add the following amounts to those of the year immediately preceding.
		<i>Per cent.</i>				
Alabama.....	1,767,662	3.5819696	\$10,000	\$31,491.82	\$49,401.67	\$17,909.85
Arizona.....	141,094	.2859112	10,000	11,715.47	13,145.03	1,429.56
Arkansas.....	1,371,768	2.7797346	10,000	26,678.41	40,577.08	13,898.67
California.....	907,810	1.8395756	10,000	21,037.45	30,235.33	9,197.88
Colorado.....	394,184	.7987699	10,000	14,792.62	18,786.47	3,993.85
Connecticut.....	114,917	.2328665	10,000	11,397.20	12,561.53	1,164.33
Delaware.....	105,237	.2132510	10,000	11,279.51	12,345.76	1,066.25
Florida.....	533,539	1.0811572	10,000	16,486.94	21,892.73	5,405.79
Georgia.....	2,070,471	4.1955782	10,000	35,173.47	56,151.36	20,977.89
Idaho.....	255,696	.5181394	10,000	13,108.84	15,699.54	2,590.70
Illinois.....	2,161,662	4.3803666	10,000	36,282.20	58,184.03	21,901.83
Indiana.....	1,557,041	3.1551697	10,000	28,931.02	44,706.87	15,775.85
Iowa.....	1,544,717	3.1301965	10,000	28,781.18	44,432.16	15,650.98
Kansas.....	1,197,159	2.4259090	10,000	24,555.45	36,685.00	12,129.55
Kentucky.....	1,734,463	3.5146956	10,000	31,088.17	48,661.65	17,573.48
Louisiana.....	1,159,872	2.3503511	10,000	24,102.11	35,853.87	11,751.76
Maine.....	360,928	.7313803	10,000	14,388.28	18,045.18	3,656.90
Maryland.....	637,154	1.2911214	10,000	17,746.73	24,202.34	6,455.61
Massachusetts.....	241,049	.4884589	10,000	12,930.75	15,373.04	2,442.29
Michigan.....	1,483,129	3.0053953	10,000	28,032.37	43,059.35	15,026.98
Minnesota.....	1,225,414	2.4831646	10,000	24,898.99	37,314.81	12,415.82
Mississippi.....	1,589,803	3.2215582	10,000	29,329.35	45,437.14	16,107.79
Missouri.....	1,894,518	3.8390291	10,000	33,034.17	52,229.32	19,195.15
Montana.....	242,633	.4916687	10,000	12,950.01	15,408.35	2,458.34
Nebraska.....	881,362	1.7859817	10,000	20,715.89	29,645.80	8,929.91
Nevada.....	68,508	.1388238	10,000	10,832.94	11,527.06	694.12
New Hampshire.....	175,473	.3555764	10,000	12,133.46	13,911.34	1,777.88
New Jersey.....	629,957	1.2765375	10,000	17,659.22	24,041.91	6,382.69
New Mexico.....	280,730	.5688682	10,000	13,413.20	16,257.54	2,844.34
New York.....	1,928,120	3.9071198	10,000	33,442.72	52,978.32	19,535.60
North Carolina.....	1,887,813	3.8254422	10,000	32,952.65	52,079.86	19,127.21
North Dakota.....	513,820	1.0411988	10,000	16,247.19	21,453.18	5,205.99
Ohio.....	2,101,978	4.2594237	10,000	35,556.54	56,853.66	21,297.12
Oklahoma.....	1,337,000	2.7092812	10,000	26,255.69	39,802.10	13,546.41
Oregon.....	365,705	.7410603	10,000	14,446.36	18,151.66	3,705.30
Pennsylvania.....	3,034,442	6.1489578	10,000	46,893.75	77,638.54	30,744.79
Rhode Island.....	17,956	.0363858	10,000	10,218.31	10,400.24	181.93
South Carolina.....	1,290,568	2.6151919	10,000	25,691.15	38,767.11	13,075.96
South Dakota.....	507,215	1.0278145	10,000	16,166.89	21,305.96	5,139.07
Tennessee.....	1,743,744	3.5335025	10,000	31,201.01	48,868.52	17,667.51
Texas.....	2,958,438	5.9949442	10,000	45,969.67	75,944.39	29,974.72
Utah.....	200,417	.4061227	10,000	12,436.74	14,467.35	2,030.61
Vermont.....	187,013	.3789609	10,000	12,273.77	14,168.57	1,894.80
Virginia.....	1,585,083	3.2119937	10,000	29,271.96	45,331.93	16,059.97
Washington.....	536,460	1.0870763	10,000	16,522.46	21,957.84	5,435.38
West Virginia.....	992,877	2.0119543	10,000	22,071.73	32,131.50	10,059.77
Wisconsin.....	1,329,540	2.6941643	10,000	26,164.99	39,635.81	13,470.82
Wyoming.....	102,744	.2081992	10,000	11,249.20	12,290.20	1,041.00
Total.....	49,348,883	99.9999999	480,000	1,080,000.00	1,580,000.00	500,000.00

¹ Each State must duplicate all Federal money above \$10,000 per year.

² After 1920 the allotments are to be based on the returns for rural population of the Fourteenth Census.

INSTRUCTIONS FOR EXTENSION ACCOUNTING.

[Approved by the Director of the States Relations Service Mar. 27, 1916.]

Accounts and vouchers for all funds used in extension work under the Smith-Lever Act should be regularly kept at the college in each State receiving the benefits of this act, even if the original accounts and vouchers are kept in the office of the State treasurer or other official. If the college keeps only duplicate vouchers, these should bear evidence of their payment by reference to the warrant or otherwise. Expenditures from both Federal and other funds which are included in the account for any Federal fiscal year should be confined to those actually made in the maintenance of the extension service during that year. Separate accounts for expenditures of the Smith-Lever Federal fund and funds from within the State used to offset that fund should be kept in accordance with the provisions of the financial schedules prescribed by the Secretary of Agriculture, and should be supported by vouchers approved by the director of extension work.

From whatever source derived, funds which are used to offset Federal Smith-Lever funds will be subject to the same limitations as regards the character of the expenditures as the Federal Smith-Lever funds.

LOCAL ACCOUNTS.

Vouchers for expenditures from funds contributed to the State Smith-Lever funds by counties, local organizations, or individuals should be approved by the director of extension work, as well as by the county officer or other representative of the contributing parties, and be paid by the county or other local treasurer, who should file a certificate of payment with the director of extension work. Either the original vouchers or duplicates should be on file at the college.

VOUCHERS.

The classification in accordance with the headings prescribed by the department should be indicated on all vouchers or accompanying jackets. Every voucher should further indicate the fund from which the expenditure is made and the project or projects to which the expenditure relates.

SALARIES OR LABOR.

There should be a pay roll or an individual voucher which should indicate the period for which the salary charge is made, the annual rate of salary, general description of duties (grade or title), and should contain the personal signature of each individual paid and the indorsement of the director of extension work. Separate pay rolls and individual vouchers for labor and for salaries should be kept.

TRAVEL EXPENSES.

Vouchers for travel should give the purpose and dates for each trip and show an itemized account of all railroad and boat fares, livery, bus, and street car expenses, payments for subsistence, and miscellaneous items. The voucher should give reference to the authorization to travel and contain the personal signature of the individual paid and the indorsement of the director. There should be vouchers showing the purchase of mileage books and subvouchers showing how and when the mileage was used. Expenses for supplies and other material should not be included in travel accounts.

OTHER EXPENSES.

(Supplies and miscellaneous.)

There should be an itemized account of all supplies and miscellaneous articles purchased, and the vouchers should indicate when the goods were received and the

date of payment, and should bear the signature of the payee and indorsement of the director. A detailed invoice should be filed whenever a voucher check is used.

ACCOUNTING, BY PROJECTS.

In the financial report a separate statement should be made for each project, and this should show the amounts spent from each fund used in the project.

All expenses of a person *regularly* carrying on a definite type of extension work are chargeable to the project covering that type of work and not to a project to which he may be temporarily assigned. The vouchers should be classified according to the projects as actually approved by the department.

Project—*General organization of extension work*.—This project indicates the general plan of organization and briefly outlines the projects which it is the intention to put in effect during the fiscal year and the amounts of money from each source devoted to the individual projects.

The expenditures for administration and for printing and distribution of publications should be kept separate in the accounts. "Administration" should include the salary and expenses of the director, editors, and other persons employed in the central office, but the salaries and expenses of State agents or State leaders of special lines of work and the clerical force exclusively employed in such work should be charged to the particular line of work in which they are engaged and not to administration. "Printing and distribution" will include the cost of envelopes, the salary of laborers, and other expenses connected with the mailing and distribution of the publications. Publications include all bulletins, reports, circulars, periodicals, etc., issued in furtherance of the Smith-Lever Act. Cost of gathering material, etc., for publications should be charged against the project to which the publication applies. The salary and expenses of the extension editor should be charged to "administration."

Project—*County agents*.—This should include all salaries and expenses of county agents and supervising officers.

Project—*Home economics or home demonstration work*.—Under this project should be included all expenditures for general extension work in home economics.

Project—*Movable schools and farmers' courses*.—Under this project should be included expenses for schools held in local communities, but it should not include the salaries, for example, of county agents or home economics demonstrators temporarily employed in such work. If specialists and other extension agents occasionally participate in movable schools, their salaries should be charged against the project to which they give the major portion of their time, but other expenses incident to participation in the movable schools are proper charges against this project.

Project—*Boys' club work*.—If this work is carried on through a separate State leader and district and county agents, there should be a separate account covering the expenses of such agents.

Project—*Girls' club work*.—If this work is carried on through a separate State leader and district and county agents, there should be a separate account covering the expenses of such agents.

Separate projects and accounts should be set up for each line of work requiring the time of at least one person.

CLASSIFICATION OF EXTENSION ACCOUNTS.

The scheme for classification of extension accounts, by items of expense, provides for 14 ledger headings, as follows:

- (1) *Salaries*, administrative, technical, and clerical.
- (2) *Labor*, regular and temporary, in connection with extension work.
- (3) *Printing and distribution of publications*, printing, illustration, envelopes, and personal services for mailing, etc.
- (4) *Stationery and small printing*, stationery for office and record purposes, forms, index cards, etc.

- (5) *Postage, telegraph, telephone, freight, and express*, including cartage, drayage, or other charges for handling freight.
- (6) *Heat, light, water, and power*.
- (7) *Supplies*, to include only consumable supplies of chemicals, glassware, small apparatus, and appliances.
- (8) *Library*—books, periodicals, and binding, but not including equipment or general supplies.
- (9) *Tools, machinery, and appliances*, such as agricultural implements and machines, canning outfits, trunks and cases for transporting exhibits, etc., motors, vehicles, harness, and small movable structures like animal cages, brooders, or shelters; including repairs to same.
- (10) *Furniture and fixtures* for offices and laboratories—desks, cases, typewriters, office appliances, and household equipment.
- (11) *Scientific apparatus and specimens*, including mounted insects, fungi, etc.
- (12) *Live stock*, including rental of animals of all kinds for extension work, but not their feeding and care.
- (13) *Traveling expenses* in connection with extension work.
- (14) *Contingent expenses*, to be itemized in detail.

The object has been to secure a clear and self-explanatory statement of extension expenditures, with as large a degree of uniformity as practicable. In the majority of cases the classification of individual entries is apparent, and no suggestion is needed. In the case of a considerable number of items, however, questions have arisen from time to time and considerable diversity of practice has been noted. The following list has accordingly been prepared to serve as a guide in this matter, and while in no sense complete it will often suggest the classification of other items not enumerated.

It is recognized that in several instances the classification suggested is a more or less arbitrary one, and that the items might with propriety be placed under other headings. Rarely would two persons classify an entire account exactly the same in all particulars. These suggestions will, however, enable greater uniformity and thus make the extension accounts more readily comparable when reviewed or tabulated for publication.

Adding machine.....	Furniture and fixtures.
Addressograph or other addressing machine....	Furniture and fixtures.
Addressograph supplies and stencils.....	Stationery and small printing.
Auditing accounts.....	Contingent expenses.
Balances for laboratory use.....	Scientific apparatus and specimens.
Bees.....	Live stock.
Board of employees temporarily in field.....	Traveling expenses.
Board of horses or other stock.....	Supplies.
Board of laborers, when part of wages.....	Labor.
Breeding cages for insects and small animals....	Tools, machinery, and appliances.
Brooders.....	Tools, machinery, and appliances.
Calculating and computing machines.....	Furniture and fixtures.
Cameras.....	Scientific apparatus and specimens.
Canning outfits.....	Tools, machinery, and appliances.
Cans (pints and quarts).....	Supplies.
Carpets.....	Furniture and fixtures.
Carriages, wagons, and similar conveyances....	Tools, machinery, and appliances.
Cartage.....	Freight and express.
Cases for carrying slides.....	Tools, machinery, and appliances.
Cooker (fireless).....	Furniture and fixtures.
Copying machines.....	Furniture and fixtures.
Cuts, half tones, etc., for illustrating publica- tions.....	Printing and distribution of publica- tions.

Drawings for illustrations.....	Printing and distribution of publications.
Drayage.....	Freight and express.
Duplicating machine, mimeograph, etc.....	Furniture and fixtures.
Egg containers.....	Supplies.
Electric-light bulbs.....	Furniture and fixtures.
Envelopes for mailing bulletins.....	Printing and distribution of publications.
Expense of sale of extension property or products.....	Contingent expenses.
Fee in aid of graduate school is not a proper charge against the Smith-Lever funds.	
Flower pots.....	Supplies.
Folding and sealing machines.....	Tools, machinery, and appliances.
Fungi, specimens.....	Scientific apparatus and specimens.
Fungicides.....	Supplies.
Gas machine.....	Tools, machinery, and appliances.
Gas mantles and shades.....	Furniture and fixtures.
Gasoline for heating.....	Heat, light, water, and power.
Gasoline for automobiles and motorcycles.....	Traveling expenses.
Groceries for demonstrations.....	Supplies.
Hardware, small sundries.....	Supplies.
Harness.....	Tools, machinery, and appliances.
Herbarium cases.....	Furniture and fixtures.
Herbarium specimens.....	Scientific apparatus and specimens.
Horse hire for work.....	Labor.
Ice.....	Supplies.
Illustrations for publications.....	Printing and distribution of publications.
Incubators for hatching chickens.....	Tools, machinery, and appliances.
Insect boxes and cases.....	Furniture and fixtures.
Insecticides.....	Supplies.
Insects, mounted specimens.....	Scientific apparatus and specimens.
Interest paid on borrowed money not chargeable to Smith-Lever funds.	
Kerosene.....	Heat, light, water, and power.
Kitchen apparatus.....	Furniture and fixtures.
Lenses for cameras or microscopes.....	Scientific apparatus and specimens.
Library supplies.....	Stationery and small printing.
Linoleum.....	Furniture and fixtures.
Livery.....	Traveling expenses.
Medicine.....	Supplies.
Membership fee, when incurred to secure proceedings or periodical of a society.....	Library.
Milking machine.....	Tools, machinery, and appliances.
Multigraph.....	Furniture and fixtures.
Mimeograph.....	Furniture and fixtures.
Motor, movable (unless part of scientific apparatus).....	Tools, machinery, and appliances.
Neostyle, etc.....	Furniture and fixtures.
Oil, lubricating.....	Supplies.
Photographic supplies:	
Cameras and lenses.....	Scientific apparatus and specimens.
Consumable supplies, such as films, plates, paper, developers, etc.....	Supplies.

Photographs of stock, field work, etc., when purchased in finished form.....	Supplies.
Platform scales for weighing animals, field crops, etc.....	Tools, machinery, and appliances; not furniture and fixtures or scientific apparatus and specimens.
Platinum ware.....	Scientific apparatus and specimens.
Poultry.....	Live stock.
Poultry buildings, portable.....	Tools, machinery, and appliances.
Presto-Lite tank.....	Tools, machinery, and appliances.
Refrigerator.....	Furniture and fixtures.
Scales, ordinary, for weighing feed, small animals, and the like.....	Tools, machinery, and appliances; not scientific apparatus.
Sewing machines.....	Furniture and fixtures.
Shoeing horses.....	Supplies; not live stock.
Spraying apparatus.....	Tools, machinery, and appliances.
Spraying materials.....	Supplies.
Sterilizing outfit for dairy.....	Tools, machinery, and appliances; not scientific apparatus.
Stoves, gasoline, etc.....	Furniture and fixtures.
Teaming, when in nature of cartage or express-age.....	Postage, telegraph, telephone, freight, and express.
Test tubes	Supplies.
Testing outfit.....	Scientific apparatus and specimens.
Trunks for carrying extension exhibits, etc.....	Tools, machinery, and appliances.
Typewriter.....	Furniture and fixtures.
Typewriter supplies.....	Stationery and small printing.
Wagons.....	Tools, machinery, and appliances.
Water register.....	Scientific apparatus and specimens.
Window screens and doors.....	Furniture and fixtures.

STATES RELATIONS SERVICE.

ORGANIZATION.

[Extract from the memorandum (No. 140) of the Secretary of Agriculture providing for the organization of the States Relations Service.]

In accordance with the provisions of the act of Congress of March 4, 1915, making appropriations for the Department of Agriculture, I hereby establish a States Relations Service in this department, which shall represent the Secretary of Agriculture in his relations with the State agricultural colleges and experiment stations under the acts of Congress of July 2, 1862, August 30, 1890, March 2, 1887, March 16, 1906, May 8, 1914, and acts supplementary thereto, and in carrying out the provisions of acts of Congress making appropriations to this department for farmers' cooperative demonstration work, investigations relating to agricultural schools, farmers' institutes, the relative utility and economy of agricultural products used for food, clothing, and other uses in the home, and the maintenance of agricultural experiment stations in Alaska, Hawaii, Porto Rico, and Guam, and in such other matters as the Secretary of Agriculture shall designate from time to time.

The States Relations Service shall include the following offices: (1) The office of the director of the service, which shall include those officers and employees engaged in the general work and administration of the service; (2) the Office of Experiment Stations, including the work of the service relating to agricultural experiment stations; (3) the Office of Extension Work in the South, including the farmers' cooperative demonstration work and the Smith-Lever agricultural extension work in 15 Southern States; (4) the Office of Extension Work in the North and West, including the farmers' cooperative demonstration work and the Smith-Lever agricultural extension work in 33 Northern and Western States; and (5) the Office of Home Economics, including investigations relative to foods, clothing, and household equipment and management.

The work of the service relating to agricultural instruction and to farmers' institutes and similar organizations shall be under the immediate direction of the director, and the work relating to farmers' institutes and similar organizations shall be carried on in close cooperation with the offices of extension work.

The States Relations Service will take under consideration matters relating to all the extension work carried on by the several bureaus and offices of the department and those connected with the administration of the Smith-Lever Extension Act. All plans for demonstration and extension work originating in any bureau or in any State should first be submitted to the States Relations Service, which will make recommendations regarding them to the Secretary. Approved plans for demonstration and extension work by any bureau should not be put into operation in any State until they have been brought to the attention of the Director of the States Relations Service and an opportunity has been given for arranging with the extension directors of the agricultural colleges regarding the execution of these plans in the States concerned.

This order became effective July 1, 1915.

WORK.

[Provisions in acts making appropriations for the Department of Agriculture.]

ADMINISTRATION OF THE HATCH, ADAMS, AND SMITH-LEVER ACTS.

To enable the Secretary of Agriculture to enforce the provisions of the above acts [Hatch and Adams] and the act approved May eighth, nineteen hundred and fourteen, entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July second, eighteen hundred and sixty-two, and of acts supplementary

thereto, and the United States Department of Agriculture," relative to their administration, including the employment of clerks, assistants, and other persons in the city of Washington and elsewhere, freight and express charges, official traveling expenses, office fixtures, supplies, apparatus, telegraph and telephone service, gas, electric current, and rent outside of the District of Columbia, \$58,500; and the Secretary of Agriculture shall prescribe the form of the annual financial statement required under the above acts, ascertain whether the expenditures are in accordance with their provisions, coordinate the work of the Department of Agriculture with that of the State agricultural colleges and experiment stations in the lines authorized in said acts, and make report thereon to Congress.

STATIONS IN ALASKA, HAWAII, PORTO RICO, AND GUAM.

To enable the Secretary of Agriculture to establish and maintain agricultural experiment stations in Alaska, Hawaii, Porto Rico, and the island of Guam, including the erection of buildings, the preparation, illustration, and distribution of reports and bulletins, and all other necessary expenses, \$143,000, as follows: Alaska, \$48,000; Hawaii, \$40,000; Porto Rico, \$40,000; and Guam, \$15,000; and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment stations in Alaska, Hawaii, Porto Rico, and the island of Guam: *Provided*, That of the sum herein appropriated for the experiment station in Hawaii \$5,000 may be used in agricultural extension work in Hawaii.

INVESTIGATIONS IN HOME ECONOMICS.

To enable the Secretary of Agriculture to investigate the relative utility and economy of agricultural products for food, clothing, and other uses in the home, with special suggestions of plans and methods for the more effective utilization of such products for these purposes, with the cooperation of other bureaus of the department, and to disseminate useful information on this subject, including the employment of labor in the city of Washington and elsewhere, supplies, and all other necessary expenses, \$24,220.

FARMERS' COOPERATIVE DEMONSTRATION WORK.

For farmers' cooperative demonstration work outside of the cotton belt, including the employment of labor in the city of Washington and elsewhere, supplies, and all other necessary expenses, \$478,240;

For farmers' cooperative demonstrations and for the study and demonstration of the best methods of meeting the ravages of the cotton-boll weevil, including the employment of labor in the city of Washington and elsewhere, supplies, and all other necessary expenses, \$661,300: *Provided*, That the expense of such service shall be defrayed from this appropriation and such cooperative funds as may be voluntarily contributed by State, county, and municipal agencies, associations of farmers, and individual farmers, universities, colleges, boards of trade, chambers of commerce, other local associations of business men, business organizations, and individuals within the State.

FARMERS' INSTITUTES AND AGRICULTURAL INSTRUCTION.

To enable the Secretary of Agriculture to investigate and report upon the organization and progress of farmers' institutes and agricultural schools in the several States and Territories, and upon similar organizations in foreign countries, with special suggestions of plans and methods for making such organizations more effective for the dissemination of the results of the work of the Department of Agriculture and the agricultural experiment stations, and of improved methods of agricultural practice, including the employment of labor in the city of Washington and elsewhere, and all other necessary expenses, \$20,600 (38 Stat. L., 1086, 1109).

CARD INDEX OF STATION LITERATURE.

And the Secretary of Agriculture hereafter may furnish to such institutions or individuals as may care to buy them copies of the card index of agricultural literature prepared by the Department of Agriculture in connection with its administration of the acts of March second, eighteen hundred and eighty-seven (Twenty-fourth Statutes at Large, page four hundred and forty), and the act of March sixteenth, nineteen hundred and six (Thirty-fourth Statutes at Large, page sixty-three), and the acts amendatory of and supplementary thereto, and charge for the same a price covering the additional expenses involved in the preparation of these copies, the money received from such sales to be deposited in the Treasury of the United States as miscellaneous receipts (38 Stat. L., 1086, 1109).

ANNUAL REPORT ON WORK AND EXPENDITURES UNDER THE HATCH, ADAMS, AND SMITH-LEVER ACTS.

That hereafter there be prepared by the Department of Agriculture an annual report on the work and expenditures of the agricultural experiment stations established under the act of Congress of March second, eighteen hundred and eighty-seven (Twenty-fourth Statutes at Large, page four hundred and forty), on the work and expenditures of the Department of Agriculture in connection therewith, and on the cooperative agricultural extension work and expenditures of the Department of Agriculture and of agricultural colleges under the act of May eighth, nineteen hundred and fourteen, entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July second, eighteen hundred and sixty-two, and of acts supplementary thereto, and the United States Department of Agriculture"; and that there be printed annually eight thousand copies of said report, of which one thousand copies shall be for the use of the Senate, two thousand copies for the use of the House of Representatives, and five thousand copies for the use of the Department of Agriculture (38 Stat. L., 1086, 1110).

U. S. DEPARTMENT OF AGRICULTURE.

STATES RELATIONS SERVICE.

A. C. TRUE, DIRECTOR.

FEDERAL LEGISLATION, REGULATIONS, AND RULINGS AFFECTING AGRICULTURAL COLLEGES AND EXPERIMENT STATIONS.

[Revised to July 15, 1917.]

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AGRICULTURAL COLLEGES.

ACT OF 1862 DONATING LANDS FOR AGRICULTURAL COLLEGES.

[First Morrill Act.]

AN ACT Donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be granted to the several States, for the purposes hereinafter mentioned, an amount of public land, to be apportioned to each State a quantity equal to thirty thousand acres for each

Senator and Representative in Congress to which the States are respectively entitled by the apportionment under the census of eighteen hundred and sixty: *Provided*, That no mineral lands shall be selected or purchased under the provisions of this act.

SEC 2. *And be it further enacted*, That the land aforesaid, after being surveyed shall be apportioned to the several States in sections or subdivisions of sections, not less than one-quarter of a section; and whenever there are public lands in a State subject to sale at private entry at one dollar and twenty-five cents per acre, the quantity to which said State shall be entitled shall be selected from such lands within the limits of such State, and the Secretary of the Interior is hereby directed to issue to each of the States in which there is not the quantity of public lands subject to sale at private entry at one dollar and twenty-five cents per acre to which said State may be entitled under the provisions of this act land scrip to the amount in acres for the deficiency of its distributive share; said scrip to be sold by said States and the proceeds thereof applied to the uses and purposes prescribed in this act and for no other use or purpose whatsoever: *Provided*, That in no case shall any State to which land scrip may thus be issued be allowed to locate the same within the limits of any other State or of any Territory of the United States, but their assignees may thus locate said land scrip upon any of the unappropriated lands of the United States subject to sale at private entry at one dollar and twenty-five cents, or less, per acre: *And provided further*, That not more than one million acres shall be located by such assignees in any one of the States: *And provided further*, That no such location shall be made before one year from the passage of this act.

SEC. 3. *And be it further enacted*, That all the expenses of management, superintendence, and taxes from date of selection of said lands, previous to their sales, and all expenses incurred in the management and disbursement of the moneys which may be received therefrom, shall be paid by the States to which they may belong, out of the treasury of said States, so that the entire proceeds of the sale of said lands shall be applied without any diminution whatever to the purposes hereinafter mentioned.

SEC. 4 (original). *And be it further enacted*, That all moneys derived from the sale of the lands aforesaid by the States to which the lands are apportioned, and from the sales of land scrip hereinbefore provided for, shall be invested in stocks of the United States or of the States, or some other safe stocks, yielding not less than five per centum upon the par value of said stocks; and that the moneys so invested shall constitute a perpetual fund, the capital of which shall remain forever undiminished (except so far as may be provided in section five of this act), and the interest of which shall be inviolably appropriated by each State which may take and claim the benefit of this act, to the endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

SEC. 4 (as amended Mar. 3, 1883). That all moneys derived from the sale of lands aforesaid by the States to which lands are apportioned, and from the sales of land scrip hereinbefore provided for, shall be invested in stocks of the United States or of the States, or some other safe stocks; or the same may be invested by the States having no State stocks in any other manner after the legislatures of such States shall have assented thereto, and engaged that such funds shall

yield not less than five per centum upon the amount so invested and that the principal thereof shall forever remain unimpaired: *Provided*, That the moneys so invested or loaned shall constitute a perpetual fund, the capital of which shall remain forever undiminished (except so far as may be provided in section five of this act), and the interest of which shall be inviolably appropriated, by each State which may take and claim the benefit of this act, to the endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

SEC. 5. *And be it further enacted*, That the grant of land and land scrip hereby authorized shall be made on the following conditions, to which, as well as to the provisions hereinbefore contained, the previous assent of the several States shall be signified by legislative acts:

First. If any portion of the fund invested, as provided by the foregoing section, or any portion of the interest thereon, shall, by any action or contingency, be diminished or lost, it shall be replaced by the State to which it belongs, so that the capital of the fund shall remain forever undiminished; and the annual interest shall be regularly applied without diminution to the purposes mentioned in the fourth section of this act, except that a sum, not exceeding ten per centum upon the amount received by any State under the provisions of this act, may be expended for the purchase of lands for sites or experimental farms whenever authorized by the respective legislatures and States.

Second. No portion of said fund, nor the interest thereon, shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings.

Third. Any State which may take and claim the benefit of the provisions of this act shall provide, within five years, at least not less than one college, as described in the fourth section of this act, or the grant to such State shall cease; and said State shall be bound to pay the United States the amount received of any lands previously sold and that the title to purchasers under the State shall be valid.

Fourth. An annual report shall be made regarding the progress of each college, recording any improvements and experiments made, with their cost and results, and such other matters, including State industrial and economical statistics, as may be supposed useful, one copy of which shall be transmitted by mail free, by each, to all the other colleges which may be endowed under the provisions of this act, and also one copy to the Secretary of the Interior.

Fifth. When lands shall be selected from those which have been raised to double the minimum price, in consequence of railroad grants, they shall be computed to the States at the maximum price and the number of acres proportionately diminished.

Sixth. No State while in a condition of rebellion or insurrection against the Government of the United States shall be entitled to the benefit of this act.

Seventh. No State shall be entitled to the benefits of this act unless it shall express its acceptance thereof by its legislature within two years from the date of its approval by the President.

SEC. 6. *And be it further enacted*, That land scrip issued under the provisions of this act shall not be subject to location until after the first day of January, one thousand eight hundred and sixty-three.

SEC. 7. *And be it further enacted*, That the land officers shall receive the same fees for locating land scrip issued under the provisions of this act as is now

allowed for the location of military bounty land warrants under existing laws: *Provided*, That their maximum compensation shall not be thereby increased.

SEC. 8. *And be it further enacted*, That the governors of the several States to which scrip shall be issued under this act shall be required to report annually to Congress all sales made of such scrip until the whole shall be disposed of, the amount received for the same, and what appropriation has been made of the proceeds.

Approved, July 2, 1862 (12 Stat. L., 503).

ACT OF 1866 EXTENDING THE TIME WITHIN WHICH AGRICULTURAL COLLEGES MAY BE ESTABLISHED.

AN ACT To amend the fifth section of an act entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2, 1862, so as to extend the time within which the provisions of said act shall be accepted and such colleges established.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time in which the several States may comply with the provisions of the act of July second, eighteen hundred and sixty-two, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," is hereby extended so that the acceptance of the benefits of the said act may be expressed within three years from the passage of this act, and the colleges required by the said act may be provided within five years from the date of the filing of such acceptance with the Commissioner of the General Land Office: *Provided*, That when any Territory shall become a State and be admitted into the Union such new State shall be entitled to the benefits of the said act of July second, eighteen hundred and sixty-two, by expressing the acceptance therein required within three years from the date of its admission into the Union, and providing the college or colleges within five years after such acceptance, as prescribed in this act: *Provided further*, That any State which has heretofore expressed its acceptance of the act herein referred to shall have the period of five years within which to provide at least one college, as described in the fourth section of said act, after the time for providing said college, according to the act of July second, eighteen hundred and sixty-two, shall have expired.

Approved, July 23, 1866 (14 Stat. L., 208).

ACT OF 1890 FOR THE FURTHER ENDOWMENT OF AGRICULTURAL COLLEGES.

[Second Morrill Act.]

AN ACT To apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July second, eighteen hundred and sixty-two.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, arising from the sales of public lands, to be paid as hereinafter provided, to each State and Territory for the more complete endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts now established, or which may be hereafter established, in accordance with an act of Congress approved July second, eighteen hundred and sixty-two, the sum

of fifteen thousand dollars for the year ending June thirtieth, eighteen hundred and ninety, and an annual increase of the amount of such appropriation thereafter for ten years by an additional sum of one thousand dollars over the preceding year, and the annual amount to be paid thereafter to each State and Territory shall be twenty-five thousand dollars, to be applied only to instruction in agriculture, the mechanic arts, the English language and the various branches of mathematical, physical, natural, and economic science, with special reference to their applications in the industries of life and to the facilities for such instruction: *Provided*, That no money shall be paid out under this act to any State or Territory for the support and maintenance of a college where a distinction of race or color is made in the admission of students, but the establishment and maintenance of such colleges separately for white and colored students shall be held to be a compliance with the provisions of this act if the funds received in such State or Territory be equitably divided as hereinafter set forth: *Provided*, That in any State in which there has been one college established in pursuance of the act of July second, eighteen hundred and sixty-two, and also in which an educational institution of like character has been established, or may be hereafter established, and is now aided by such State from its own revenue, for the education of colored students in agriculture and the mechanic arts, however named or styled, or whether or not it has received money heretofore under the act to which this act is an amendment, the legislature of such State may propose and report to the Secretary of the Interior a just and equitable division of the fund to be received under this act, between one college for white students and one institution for colored students, established as aforesaid, which shall be divided into two parts, and paid accordingly, and thereupon such institution for colored students shall be entitled to the benefits of this act and subject to its provisions, as much as it would have been if it had been included under the act of eighteen hundred and sixty-two, and the fulfillment of the foregoing provisions shall be taken as a compliance with the provision in reference to separate colleges for white and colored students.

SEC 2. That the sums hereby appropriated to the States and Territories for the further endowment and support of colleges shall be annually paid on or before the thirty-first day of July of each year, by the Secretary of the Treasury, upon the warrant of the Secretary of the Interior, out of the Treasury of the United States, to the State or Territorial treasurer, or to such other officer as shall be designated by the laws of such State or Territory to receive the same, who shall upon the order of the trustees of the college or the institution for colored students, immediately pay over said sums to the treasurers of the respective colleges or other institutions entitled to receive the same, and such treasurers shall be required to report to the Secretary of Agriculture and to the Secretary of the Interior on or before the first day of September of each year a detailed statement of the amount so received and of its disbursement. The grants of moneys authorized by this act are made subject to the legislative assent of the several States and Territories to the purpose of said grants: *Provided*, That payments of such installments of the appropriation herein made as shall become due to any State before the adjournment of the regular session of legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof, duly certified to the Secretary of the Treasury.

SEC. 3. That if any portion of the moneys received by the designated officer of the State or Territory for the further and more complete endowment, support, and maintenance of colleges, or of institutions for colored students,

as provided in this act, shall, by any action or contingency, be dismissed or lost, or be misapplied, it shall be replaced by the State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory; and no portion of said moneys shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings. An annual report by the president of each of said colleges shall be made to the Secretary of Agriculture, as well as to the Secretary of the Interior, regarding the condition and progress of each college, including statistical information in relation to its receipts and expenditures, its library, the number of its students and professors, and also as to any improvements and experiments made under the direction of any experiment stations attached to said colleges, with their cost and results and such other industrial and economical statistics as may be regarded as useful, one copy of which shall be transmitted by mail free to all other colleges further endowed under this act.

SEC. 4. That on or before the first day of July in each year, after the passage of this act, the Secretary of the Interior shall ascertain and certify to the Secretary of the Treasury as to each State and Territory, whether it is entitled to receive its share of the annual appropriation for colleges, or of institutions for colored students, under this act and the amount which thereupon each is entitled, respectively, to receive. If the Secretary of the Interior shall withhold a certificate from any State or Territory of its appropriation, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the close of the next Congress, in order that the State or Territory may, if it should so desire, appeal to Congress from the determination of the Secretary of the Interior. If the next Congress shall not direct such sum to be paid it shall be covered into the Treasury. And the Secretary of the Interior is hereby charged with the proper administration of this law.

SEC. 5. That the Secretary of the Interior shall annually report to Congress the disbursements which have been made in all the States and Territories, and also whether the appropriation of any State or Territory has been withheld, and, if so, the reasons therefor.

SEC. 6. Congress may at any time amend, suspend, or repeal any or all of the provisions of this act.

Approved, August 30, 1890 (26 Stat. L., 417).

PROVISIONS OF ACT MAKING APPROPRIATIONS FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE FISCAL YEAR ENDING JUNE 30, 1908, FOR THE FURTHER ENDOWMENT OF AGRICULTURAL COLLEGES.

[Nelson amendment.]

* * * That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, to be paid as hereinafter provided, to each State and Territory for the more complete endowment and maintenance of agricultural colleges now established, or which may hereafter be established, in accordance with the act of Congress approved July second, eighteen hundred and sixty-two, and the act of Congress approved August thirtieth, eighteen hundred and ninety, the sum of five thousand dollars, in addition to the sums named in the said act, for the fiscal year ending June thirtieth, nineteen hundred and eight, and an annual increase of the amount of such appropriation thereafter for four years by an additional sum

of five thousand dollars over the preceding year, and the annual sum to be paid thereafter to each State and Territory shall be fifty thousand dollars, to be applied only for the purposes of the agricultural colleges as defined and limited in the act of Congress approved July second, eighteen hundred and sixty-two, and the act of Congress approved August thirtieth, eighteen hundred and ninety.

That the sum hereby appropriated to the States and Territories for the further endowment and support of the colleges shall be paid by, to, and in the manner prescribed by the act of Congress approved August thirtieth, eighteen hundred and ninety, entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July second, eighteen hundred and sixty-two," and the expenditure of the said money shall be governed in all respects by the provisions of the said act of Congress approved July second, eighteen hundred and sixty-two, and the said act of Congress approved August thirtieth, eighteen hundred and ninety: *Provided*, That said colleges may use a portion of this money for providing courses for the special preparation of instructors for teaching the elements of agriculture and the mechanic arts.

Approved, March 4, 1907 (34 Stat. L., 1256, 1281).

MILITARY TRAINING AT THE LAND-GRANT COLLEGES.

[Extract from an act for making further and more effectual provision for the national defense, and for other purposes.]

SEC. 40. THE RESERVE OFFICERS' TRAINING CORPS.—The President is hereby authorized to establish and maintain in civil educational institutions a Reserve Officers' Training Corps, which shall consist of a senior division organized at universities and colleges requiring four years of collegiate study for a degree, including State universities and those State institutions that are required to provide instruction in military tactics under the provisions of the act of Congress of July second, eighteen hundred and sixty-two, donating lands for the establishment of colleges where the leading object shall be practical instruction in agriculture and the mechanic arts, including military tactics, and a junior division organized at all other public or private educational institutions, except that units of the senior division may be organized at those essentially military schools which do not confer an academic degree but which, as a result of the annual inspection of such institutions by the War Department, are specially designated by the Secretary of War as qualified for units of the senior division, and each division shall consist of units of the several arms or corps in such number and of such strength as the President may prescribe.

SEC. 41. The President may, upon the application of any State institution described in section forty of this act, establish and maintain at such institution one or more units of the Reserve Officers' Training Corps: *Provided*, That no such unit shall be established or maintained at any such institution until an officer of the Army shall have been detailed as professor of military science and tactics, nor until such institution shall maintain under military instruction at least one hundred physically fit male students.

SEC. 42. The President may, upon the application of any established educational institution in the United States other than a State institution described in section forty of this act, the authorities of which agree to establish and maintain a two years' elective or compulsory course of military training as a minimum for its physically fit male students, which course when entered upon

by any student shall, as regards such student, be a prerequisite for graduation, establish and maintain at such institution one or more units of the Reserve Officers' Training Corps: *Provided*, That no such unit shall be established or maintained at any such institution until an officer of the Army shall have been detailed as professor of military science and tactics, nor until such institution shall maintain under military instruction at least one hundred physically fit male students.

SEC. 43. The Secretary of War is hereby authorized to prescribe standard courses of theoretical and practical military training for units of the Reserve Officers' Training Corps, and no unit of the senior division shall be organized or maintained at any educational institution the authorities of which fail or neglect to adopt into their curriculum the prescribed courses of military training for the senior division or to devote at least an average of three hours per week per academic year to such military training; and no unit of the junior division shall be organized or maintained at any educational institution the authorities of which fail or neglect to adopt into their curriculum the prescribed courses of military training for the junior division, or to devote at least an average of three hours per week per academic year to such military training.

SEC. 44. Eligibility to membership in the Reserve Officers' Training Corps shall be limited to students of institutions in which units of such corps may be established who are citizens of the United States, who are not less than fourteen years of age, and whose bodily condition indicates that they are physically fit to perform military duty, or will be so upon arrival at military age.

SEC. 45. The President is hereby authorized to detail such numbers of officers of the Army, either active or retired, not above the grade of colonel, as may be necessary, for duty as professors and assistant professors of military science and tactics at institutions where one or more units of the Reserve Officers' Training Corps are maintained; but the total number of active officers so detailed at educational institutions shall not exceed three hundred, and no active officer shall be so detailed who has not had five years' commissioned service in the Army. In time of peace retired officers shall not be detailed under the provisions of this section without their consent. Retired officers below the grade of lieutenant colonel so detailed shall receive the full pay and allowances of their grade, and retired officers above the grade of major so detailed shall receive the same pay and allowances as a retired major would receive under a like detail. No detail of officers on the active list of the Regular Army under the provisions of this section shall extend for more than four years.

SEC. 46. The President is hereby authorized to detail for duty at institutions where one or more units of the Reserve Officers' Training Corps are maintained such number of enlisted men, either active or retired or of the Regular Army Reserve, as he may deem necessary, but the number of active noncommissioned officers so detailed shall not exceed five hundred, and all active noncommissioned officers so detailed shall be additional in their respective grades to those otherwise authorized for the Army. Retired enlisted men or members of the Regular Army Reserve shall not be detailed under the provisions of this section without their consent. While so detailed they shall receive active pay and allowances.

SEC. 47. The Secretary of War, under such regulations as he may prescribe, is hereby authorized to issue to institutions at which one or more units of the Reserve Officers' Training Corps are maintained such public animals, arms, uniforms, equipment, and means of transportation as he may deem necessary, and to forage at the expense of the United States public animals so issued. He shall require from each institution to which property of the United States is issued a bond in the value of the property issued for the care and safe-keeping thereof, and for its return when required.

SEC. 48. The Secretary of War is hereby authorized to maintain camps for the further practical instruction of the members of the Reserve Officers' Training Corps, no such camps to be maintained for a period longer than six weeks in any one year, except in time of actual or threatened hostilities; to transport members of such corps to and from such camps at the expense of the United States so far as appropriations will permit; to subsist them at the expense of the United States while traveling to and from such camps and while remaining therein so far as appropriations will permit; to use the Regular Army, such other military forces as Congress from time to time authorizes, and such Government property as he may deem necessary for the military training of the members of such corps while in attendance at such camps; to prescribe regulations for the government of such corps; and to authorize, in his discretion, the formation of company units thereof into battalion and regimental units.

SEC. 49. The President alone, under such regulations as he may prescribe, is hereby authorized to appoint in the Officers' Reserve Corps any graduate of the senior division of the Reserve Officers' Training Corps who shall have satisfactorily completed the further training provided for in section fifty of this act, or any graduate of the junior division who shall have satisfactorily completed the courses of military training prescribed for the senior division and the further training provided for in section fifty of this act, and shall have participated in such practical instruction subsequent to graduation as the Secretary of War shall prescribe, who shall have arrived at the age of twenty-one years and who shall agree, under oath in writing, to serve the United States in the capacity of a reserve officer of the Army during a period of at least ten years from the date of his appointment as such reserve officer, unless sooner discharged by proper authority; but the total number of reserve officers so appointed shall not exceed fifty thousand: *Provided*, That any graduate qualified under the provisions of this section undergoing a postgraduate course at any institution shall not be eligible for appointment as a reserve officer while undergoing such postgraduate course, but his ultimate eligibility upon completion of such postgraduate course for such appointment shall not be affected because of his having undergone such postgraduate course.

SEC. 50. When any member of the senior division of the Reserve Officers' Training Corps has completed two academic years of service in that division, and has been selected for further training by the president of the institution and by its professor of military science and tactics, and has agreed in writing to continue in the Reserve Officers' Training Corps for the remainder of his course in the institution, devoting five hours per week to the military training prescribed by the Secretary of War, and has agreed in writing to pursue the courses in camp training prescribed by the Secretary of War, he may be furnished, at the expense of the United States, with commutation of subsistence at such rate, not exceeding the cost of the garrison ration prescribed for the Army, as may be fixed by the Secretary of War, during the remainder of his service in the Reserve Officers' Training Corps.

SEC. 51. Any physically fit male citizen of the United States, between the ages of twenty-one and twenty-seven years, who shall have graduated prior to the date of this act from any educational institution at which an officer of the Army was detailed as professor of military science and tactics, and who, while a student at such institution, completed courses of military training under the direction of such professor of military science and tactics substantially equivalent to those prescribed pursuant to this act for the senior division, shall, after satisfactorily completing such additional practical military training

as the Secretary of War shall prescribe, be eligible for appointment to the Officers' Reserve Corps and as a temporary additional second lieutenant in accordance with the terms of this act.

SEC. 52. The President alone is hereby authorized to appoint and commission as a temporary second lieutenant of the Regular Army in time of peace for purposes of instruction, for a period not exceeding six months, with the allowances now provided by law for that grade, but with pay at the rate of \$100 per month, any reserve officer appointed pursuant to sections forty-nine and fifty-one of this act and to attach him to a unit of the Regular Army for duty and training during the period covered by his appointment as such temporary second lieutenant, and upon the expiration of such service with the Regular Army such officer shall revert to his status as a reserve officer.

SEC. 53. No reserve officer or temporary second lieutenant appointed pursuant to this act shall be entitled to retirement or to retired pay and shall be eligible for pension only for disability incurred in line of duty in active service or while serving with the Regular Army pursuant to the provisions of this act: *Provided*, That in time of war the President may order reserve officers appointed under the provisions of this act to active duty with any of the military forces of the United States in any grades not below that of second lieutenant, and while on such active duty they shall be subject to the Rules and Articles of War: *And provided further*, That the Adjutant General of the Army shall, under the direction and supervision of the Secretary of War, obtain, compile, and keep continually up to date all obtainable information as to the names, ages, addresses, occupations, and qualifications for appointment as commissioned officers of the Army, in time of war or other emergency, of men of suitable ages who, by reason of having received military training in civilian educational institutions or elsewhere, may be regarded as qualified and available for appointment as such commissioned officers.

Approved, June 3, 1916.

RULINGS OF THE WAR DEPARTMENT AFFECTING MILITARY TRAINING AT THE LAND-GRANT COLLEGES.

Regulations and instructions of the War Department governing the establishment, administration, and maintenance of the Reserve Officers' Training Corps at educational institutions (including the land-grant colleges) and the issue of Government property thereto are given in detail in War Department General Orders, No. 49, issued September 20, 1916.

The regulations and instructions governing the annual military inspection and classification of such institutions are as follows:¹

Institutions to which officers of the Army are detailed under the provisions of section 1225, Revised Statutes of the United States, of the acts of Congress amendatory thereof, and of the act of June 3, 1916, and other institutions affording military instruction under section 56, act of June 3, 1916, will be divided into classes as follows:

Class M C.—Colleges and universities (including land-grant institutions) where the curriculum is sufficiently advanced to carry with it a degree, where the students are habitually in uniform, where the average age of the students on graduation is not less than 21 years, where military discipline is constantly maintained, and where one of the leading objects is the development of the student by means of military drill and by regulating his daily conduct according to the principles of military discipline.

¹ War Department, Compilation of Orders, Changes No. 1, Mar. 12, 1917.

Class M.—Essentially military institutions where the curriculum is not sufficiently advanced to carry with it a degree or where the average age of the students on graduation is less than 21 years.

Class C.—Colleges and universities (including land-grant institutions) not essentially military, where the curriculum is sufficiently advanced to carry with it a degree and where the average age of the students on graduation is not less than 21 years.

Class S M.—Institutions not included in any of the classes mentioned above.

The institutions of classes M C and C, not exceeding 15 in any year, whose students have exhibited the greatest degree of military training as compared with others of their class, and whose graduates of that year are by reason of discipline, education, and military training best qualified for commissions in the Army, will be designated, in addition to above classification, as "Distinguished colleges," and the year or years in which distinguished will be added.

The institutions of class M, not exceeding 10 of the whole number in that class, whose students display the greatest degree of military training and instruction, will be designated as "Honor schools," and the year or years in which so designated will be added.

The military departments of all educational institutions at which officers of the Army are detailed as professors of military science and tactics and of schools and colleges having a course of military training prescribed by the Secretary of War, pursuant to section 56, act of June 3, 1916, will be subject to inspection, under the authority of the President of the United States. Stated inspections will begin about April 1 and be completed by June 1 in each year.

These inspections for all institutions located in each territorial department will be made by a board of officers detailed for that purpose by the department commander. Each inspecting officer will pursue an itinerary to be prescribed each year by the department commander. In addition to the above, department commanders whenever practicable will, in person, make at least once annually an inspection of all units of the Reserve Officers' Training Corps within their departments and will exert every effort to secure the greatest possible uniformity in methods and standards and the highest possible efficiency in the military instruction.

The inspection officer, upon his arrival at any institution, will call upon the chief administrative officer present in order to obtain from him the necessary facilities for the performance of his duties.

The board will reconvene at department headquarters not later than June 10 in each year, and after comparing individual reports of their inspections will recommend the classification of institutions and those to be designated as "Distinguished colleges" and "Honor schools," and will make such further recommendations as may be deemed necessary (1) to insure a proper compliance with the provisions of the War Department orders governing military instruction in educational institutions, and (2) to improve the methods and character of such instruction. The board will also make special mention of such institutions as may have shown during the year gratifying improvement in their military departments. The report of this board, accompanied by the inspector's report on each institution, will be forwarded by the department commander, with such remarks and recommendations as he may include, to The Adjutant General of the Army not later than June 20 in each year. After careful consideration of these reports The Adjutant General will prepare and submit to the Chief of Staff, not later than June 30 in each year, lists, based upon the reports received, of institutions to be designated as "Distinguished colleges" and "Honor schools," and will recommend such other action relative to the conditions reported and recommendations received as may be desirable.

A copy of the report of inspection will be furnished to the president of the institution by the department commander.

Hereafter no institution shall be designated as a "Distinguished college" or an "Honor school" unless it maintains one or more units of the Reserve Officers' Training Corps. Each year that an institution is designated as "Distinguished college" or "Honor school" one member of its graduating class, to be selected by the president and the professor of military science and tactics, acting jointly, will, upon graduation, be rated as honor graduate. By the term "honor graduate" is understood a graduate whose attainments in scholarship have been so marked as to receive the approbation of the president of the school or college and whose proficiency in military training and knowledge and intelligent atten-

tion to duty have merited the approbation of the professor of military science and tactics. The honor graduate must be a citizen of the United States, unmarried, of exemplary habits, and of good moral character. The honor graduate of a "Distinguished college" must, in addition, be not less than 21 nor more than 27 years of age.

The name of the honor graduate should be reported to the War Department as soon as practicable after graduation.

The President of the United States authorizes the announcement that an appointment as provisional second lieutenant in the Regular Army will be awarded annually to an honor graduate of each of the institutions designated as "Distinguished colleges" under the provisions of section 24, act of June 3, 1916, and subparagraph 6, paragraph 130, provided sufficient vacancies exist after the appointment of certain classes of appointees who are given precedence under the law. These are (1) graduates of the United States Military Academy, (2) enlisted men of the Regular Army qualified after competitive examination; except that as to the vacancies created by the act of June 3, 1916, the order of precedence is as follows: (1) As above, (2) as above, but including officers of the Philippine Scouts, (3) members of the Officers' Reserve Corps, (4) commissioned officers of the National Guard, (5) appointees hereunder.

The honor graduate of the "Distinguished college" must have graduated from that institution in a year in which it was rated as "Distinguished college." He will not be required to take any mental examination, but will be examined physically. If he is a member of the Officers' Reserve Corps and desires to compete for precedence in class (3) above, he will be required to take the mental examination in those subjects prescribed for graduates of recognized colleges.

Beginning with the class of 1916 and continuing until the vacancies created by the act of June 3, 1916, have been filled, the number of appointments of honor graduates authorized for each "Distinguished college" will be increased to 10 from each graduating class.

CLAUSE IN ACT PROVIDING FOR THE PRINTING, BINDING, AND DISTRIBUTION OF PUBLIC DOCUMENTS, CONSTITUTING THE LAND-GRANT COLLEGES DEPOSITORIES.

All land-grant colleges shall be constituted as depositories for public documents, subject to the provisions and limitations of the depository laws.

Approved, March 1, 1907 (34 Stat. L., 1012, 1014).

RULINGS OF THE UNITED STATES BUREAU OF EDUCATION RELATIVE TO LAND-GRANT COLLEGES.¹

EXPENDITURE OF ANNUAL APPROPRIATION.

The funds annually appropriated by the act of August 30, 1890, must be expended during the year for which they are appropriated and for the purposes specified in the said act, and can not be allowed to accumulate in the form of an unexpended balance or be invested as a permanent interest-bearing fund (decision of the Assistant Attorney General, June 20, 1899). The department will insist on the expenditure annually of substantially the entire amount appropriated by the act of August 30, 1890, and the act of March 4, 1907, and boards of control of agricultural and mechanical colleges are requested to make provision for such expenditures. It is understood, of course, that contracts may be entered into for machinery or other educational material which, for good reasons, may not be ready and paid for until the following year. In such cases it is sufficient to explain, by a note in the report, that the

¹For fuller information see Federal Laws, Regulations, and Rulings Affecting the Land-Grant Colleges of Agriculture and Mechanic Arts. U. S. Bureau of Education, 1911.

balance is held for the purpose of liquidating bills already incurred, and stating the nature of the outstanding contracts.

USES OF FUNDS DEFINED.

The funds are "to be applied only to instruction in agriculture, the mechanic arts, the English language, and the various branches of mathematical, physical, natural and economic science, with special reference to their applications in the industries of life, and to the facilities for such instruction" and "for providing courses for the special preparation of instructors for teaching the elements of agriculture and mechanic arts." It is held that this language authorizes the purchase with this money of apparatus, machinery, textbooks, reference books, stock, and material used in instruction, or for the purposes of illustration in connection with any of the branches enumerated, and the payment of salaries of instructors in said branches only; but, in case of machinery (such as boilers, engines, pumps, etc.) and farm stock, which are made to serve for both instructional and other purposes, the Federal funds may be charged with only an equitable portion of the cost of said machinery and stock.

BUILDINGS.

The expenditure of any portion of these funds for the purchase, erection, preservation, or repair of any building or buildings under any pretense whatever is specifically prohibited by the act (sec. 3); the purchase of land is not allowable (decision of Assistant Attorney General, Mar., 1891), nor expenditures for permanent improvement to buildings, grounds, and farms, such as clearing, draining, and fencing of land.

SALARIES OF ADMINISTRATIVE OFFICERS.

The salaries of purely administrative officers, such as treasurers (decision of Assistant Attorney General, Mar. 7, 1894), presidents, secretaries, bookkeepers, janitors, watchmen, etc., can not be charged to this fund, nor the salaries of other administrative officers, like superintendents, foremen, and matrons, and the wages of unskilled laborers and assistants in shops, laboratories, and fields; nor can it be expended for heating or lighting buildings, musical instruments, military equipment, furniture, cases, shelving, desks, blackboards, tables, lockers, salaries of instructors in philosophy, psychology, ethics, logic, history, political science, civics, pedagogy, military science and tactics, and in ancient and modern language (except English). When an administrative officer also gives instruction in any of the branches of study mentioned in the act of August 30, 1890, or when an instructor gives such instruction and also devotes part of his time to giving instruction in branches of study not mentioned in the said act, only a part of such person's salary proportionate to the time devoted to giving instruction in the branches of study mentioned in the said act of August 30, 1890, can be charged to these funds. In the division of time between instructional and other services, one hour of instruction shall be regarded as the equivalent of two hours of administrative, supervisory, or experiment station work.

EXTENSION WORK.

No part of the funds received under the provisions of the acts of 1890 and 1907 may be used for any form of extension work, and all instruction must be given at the institutions receiving these funds, except that a reasonable portion of the funds provided by the act of 1907 may be used for the instruction of teachers

in agriculture, mechanic arts, and domestic science at summer schools, teachers' institutes, and by correspondence, and in supervising and directing work in these subjects in high schools.

TRAINING OF TEACHERS.

All or a part of the funds provided by the act of March 4, 1907, may be used "for providing courses for the special preparation of instructors for teaching the elements of agriculture and mechanic arts." It is held that this language authorizes expenditures for instruction in the history of agriculture and industrial education, in methods of teaching agriculture, mechanic arts, and home economics, and also for special aid and supervision given to teachers actively engaged in teaching agriculture, mechanic arts, and home economics in public schools. It does not authorize expenditures for general courses in pedagogy, psychology, history of education, and methods of teaching.

RÉGULATIONS OF THE POST OFFICE DEPARTMENT CONCERNING FREE TRANSMISSION OF AGRICULTURAL COLLEGE PUBLICATIONS.

Section 515 of the Postal Laws and Regulations (1902) of the United States relating to the free transmission of reports of agricultural colleges reads as follows:

SEC. 515. One copy of each of the annual reports required by law to be made to the Secretary of the Interior and the Secretary of Agriculture, by such colleges as are or may hereafter be established for the benefit of agriculture and the mechanic arts in the several States and Territories under the provisions of the act of July 2, 1862, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," and the acts amendatory thereof * * * shall be transmitted by mail free, by each, to all the other colleges which may be endowed under the provisions of this act (of July 2, 1862), and also one copy to the Secretary of the Interior and the Secretary of Agriculture.

2. Postmasters at offices where colleges are established under the provisions of the act of July 2, 1862, will receive from the officers thereof the reports referred to addressed, one copy each, to such other colleges and to the Secretary of the Interior and the Secretary of Agriculture, and affix to each a penalty label or official envelope of the post office, and forward the same free.

CERTIFICATION OF INDIAN SCHOOL OR AGENCY FARMERS BY AGRICULTURAL COLLEGES.

A provision in the act (Public 390, 64th Cong., approved Mar. 2, 1917) making appropriations for the Bureau of Indian Affairs requires that every farmer or expert farmer hereafter appointed for an Indian school or agency farm whose salary is to be \$50 or more per month shall have "a certificate of competency showing that he is a farmer of actual experience and qualified to instruct others in the art of practical agriculture" from "the president or dean of the State agricultural college of the State in which his services are to be rendered, or by the president or dean of the State agricultural college of an adjoining State."

VOCATIONAL EDUCATION.

AN ACT To provide for the promotion of vocational education; to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the States in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby annually appropriated, out of any money in the Treasury not otherwise appropriated, the sums provided in sections two, three, and four of this act, to be paid to the respective States for the purpose of cooperating with the States in paying the salaries of teachers, supervisors, and directors of agricultural subjects, and teachers of trade, home economics, and industrial subjects, and in the preparation of teachers of agricultural, trade, industrial, and home economics subjects; and the sum provided for in section seven for the use of the Federal Board for Vocational Education for the administration of this act and for the purpose of making studies, investigations, and reports to aid in the organization and conduct of vocational education, which sums shall be expended as hereinafter provided.

SEC. 2. That for the purpose of cooperating with the States in paying the salaries of teachers, supervisors, or directors of agricultural subjects there is hereby appropriated for the use of the States, subject to the provisions of this act, for the fiscal year ending June thirtieth, nineteen hundred and eighteen, the sum of \$500,000; for the fiscal year ending June thirtieth, nineteen hundred and nineteen, the sum of \$750,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty, the sum of \$1,000,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-one, the sum of \$1,250,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-two, the sum of \$1,500,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-three, the sum of \$1,750,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-four, the sum of \$2,000,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-five, the sum of \$2,500,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-six, and annually thereafter, the sum of \$3,000,000. Said sums shall be allotted to the States in the proportion which their rural population bears to the total rural population in the United States, not including outlying possessions, according to the last preceding United States census: *Provided*, That the allotment of funds to any State shall be not less than a minimum of \$5,000 for any fiscal year prior to and including the fiscal year ending June thirtieth, nineteen hundred and twenty-three, nor less than \$10,000 for any fiscal year thereafter, and there is hereby appropriated the following sums, or so much thereof as may be necessary, which shall be used for the purpose of providing the minimum allotment to the States provided for in this section: For the fiscal year ending June thirtieth, nineteen hundred and eighteen, the sum of \$48,000; for the fiscal year ending June thirtieth, nineteen hundred and nineteen, the sum of \$34,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty, the sum of \$24,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-one, the sum of \$18,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-two, the sum of \$14,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-three, the sum of \$11,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-four, the sum of \$9,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-five, the sum of \$34,000; and annually thereafter the sum of \$27,000.

SEC. 3. That for the purpose of cooperating with the States in paying the salaries of teachers of trade, home economics, and industrial subjects there is hereby appropriated for the use of the States, for the fiscal year ending June thirtieth, nineteen hundred and eighteen, the sum of \$500,000; for the fiscal year ending June thirtieth, nineteen hundred and nineteen, the sum of \$750,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty, the sum of \$1,000,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-one, the sum of \$1,250,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-two, the sum of \$1,500,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-three, the sum of \$1,750,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-four, the sum of \$2,000,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-five, the sum of \$2,500,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-six, the sum of \$3,000,000; and annually thereafter the sum of \$3,000,000. Said sums shall be allotted to the States in the proportion which their urban population bears to the total urban population in the United States, not including outlying possessions, according to the last preceding United States census: *Provided*, That the allotment of funds to any State shall be not less than a minimum of \$5,000 for any fiscal year prior to and including the fiscal year ending June thirtieth, nineteen hundred and twenty-three, nor less than \$10,000 for any fiscal year thereafter, and there is hereby appropriated the following sums, or so much thereof as may be needed, which shall be used for the purpose of providing the minimum allotment to the States provided for in this section: For the fiscal year ending June thirtieth, nineteen hundred and eighteen, the sum of \$66,000; for the fiscal year ending June thirtieth, nineteen hundred and nineteen, the sum of \$46,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty, the sum of \$34,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-one, the sum of \$28,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-two, the sum of \$25,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-three, the sum of \$22,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-four, the sum of \$19,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-five, the sum of \$56,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-six, and annually thereafter, the sum of \$50,000.

That not more than twenty per centum of the money appropriated under this act for the payment of salaries of teachers of trade, home economics, and industrial subjects, for any year, shall be expended for the salaries of teachers of home economics subjects.

SEC. 4. That for the purpose of cooperating with the States in preparing teachers, supervisors, and directors of agricultural subjects and teachers of trade and industrial and home economics subjects there is hereby appropriated for the use of the States for the fiscal year ending June thirtieth, nineteen hundred and eighteen, the sum of \$500,000; for the fiscal year ending June thirtieth, nineteen hundred and nineteen, the sum of \$700,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty, the sum of \$900,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-one, and annually thereafter, the sum of \$1,000,000. Said sums shall be allotted to the States in the proportion which their population bears to the total population of the United States, not including outlying possessions, according to the last preceding United States census: *Provided*, That the allotment of funds to any State shall be not less than a minimum of \$5,000 for any fiscal year prior to and including the fiscal year ending June thirtieth, nineteen hundred and nine-

teen, nor less than \$10,000 for any fiscal year thereafter. And there is hereby appropriated the following sums, or so much thereof as may be needed, which shall be used for the purpose of providing the minimum allotment provided for in this section: For the fiscal year ending June thirtieth, nineteen hundred and eighteen, the sum of \$46,000; for the fiscal year ending June thirtieth, nineteen hundred and nineteen, the sum of \$32,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty, the sum of \$24,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-one, and annually thereafter, the sum of \$90,000.

SEC. 5. That in order to secure the benefits of the appropriations provided for in sections two, three, and four of this act, any State shall, through the legislative authority thereof, accept the provisions of this act and designate or create a State board, consisting of not less than three members, and having all necessary power to cooperate, as herein provided, with the Federal Board for Vocational Education in the administration of the provisions of this act. The State board of education, or other board having charge of the administration of public education in the State, or any State board having charge of the administration of any kind of vocational education in the State may, if the State so elect, be designated as the State board, for the purposes of this act.

In any State the legislature of which does not meet in nineteen hundred and seventeen, if the governor of that State, so far as he is authorized to do so, shall accept the provisions of this act and designate or create a State board of not less than three members to act in cooperation with the Federal Board for Vocational Education, the Federal board shall recognize such local board for the purposes of this act until the legislature of such State meets in due course and has been in session sixty days.

Any State may accept the benefits of any one or more of the respective funds herein appropriated, and it may defer the acceptance of the benefits of any one or more of such funds, and shall be required to meet only the conditions relative to the fund or funds the benefits of which it has accepted: *Provided*, That after June thirtieth, nineteen hundred and twenty, no State shall receive any appropriation for salaries of teachers, supervisors, or directors of agricultural subjects, until it shall have taken advantage of at least the minimum amount appropriated for the training of teachers, supervisors, or directors of agricultural subjects, as provided for in this act, and that after said date no State shall receive any appropriation for the salaries of teachers of trade, home economics, and industrial subjects until it shall have taken advantage of at least the minimum amount appropriated for the training of teachers of trade, home economics, and industrial subjects, as provided for in this act.

SEC. 6. That a Federal Board for Vocational Education is hereby created, to consist of the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, the United States Commissioner of Education, and three citizens of the United States to be appointed by the President, by and with the advice and consent of the Senate. One of said three citizens shall be a representative of the manufacturing and commercial interests, one a representative of the agricultural interests, and one a representative of labor. The board shall elect annually one of its members as chairman. In the first instance, one of the citizen members shall be appointed for one year, one for two years, and one for three years, and thereafter for three years each. The members of the board other than the members of the Cabinet and the United States Commissioner of Education shall receive a salary of \$5,000 per annum.

The board shall have power to cooperate with State boards in carrying out the provisions of this act. It shall be the duty of the Federal Board for Voca-

tional Education to make, or cause to have made studies, investigations, and reports, with particular reference to their use in aiding the States in the establishment of vocational schools and classes and in giving instruction in agriculture, trades and industries, commerce and commercial pursuits, and home economics. Such studies, investigations, and reports shall include agriculture and agricultural processes and requirements upon agricultural workers; trades, industries, and apprenticeships, trade and industrial requirements upon industrial workers, and classification of industrial processes and pursuits; commerce and commercial pursuits and requirements upon commercial workers; home management, domestic science, and the study of related facts and principles; and problems of administration of vocational schools and of courses of study and instruction in vocational subjects.

When the board deems it advisable such studies, investigations, and reports concerning agriculture, for the purposes of agricultural education, may be made in cooperation with or through the Department of Agriculture; such studies, investigations, and reports concerning trades and industries, for the purposes of trade and industrial education, may be made in cooperation with or through the Department of Labor; such studies, investigations, and reports concerning commerce and commercial pursuits, for the purposes of commercial education, may be made in cooperation with or through the Department of Commerce; such studies, investigations, and reports concerning the administration of vocational schools, courses of study and instruction in vocational subjects, may be made in cooperation with or through the Bureau of Education.

The Commissioner of Education may make such recommendations to the board relative to the administration of this act as he may from time to time deem advisable. It shall be the duty of the chairman of the board to carry out the rules, regulations, and decisions which the board may adopt. The Federal Board for Vocational Education shall have power to employ such assistants as may be necessary to carry out the provisions of this act.

SEC. 7. That there is hereby appropriated to the Federal Board for Vocational Education the sum of \$200,000 annually, to be available from and after the passage of this act, for the purpose of making or cooperating in making the studies, investigations, and reports provided for in section six of this act, and for the purpose of paying the salaries of the officers, the assistants, and such office and other expenses as the board may deem necessary to the execution and administration of this act.

SEC. 8. That in order to secure the benefits of the appropriation for any purpose specified in this act, the State board shall prepare plans, showing the kinds of vocational education for which it is proposed that the appropriation shall be used; the kinds of schools and equipment; courses of study; methods of instruction; qualifications of teachers; and, in the case of agricultural subjects the qualifications of supervisors or directors; plans for the training of teachers; and, in the case of agricultural subjects, plans for the supervision of agricultural education, as provided for in section ten. Such plans shall be submitted by the State board to the Federal Board for Vocational Education, and if the Federal board finds the same to be in conformity with the provisions and purposes of this act, the same shall be approved. The State board shall make an annual report to the Federal Board for Vocational Education, on or before September first of each year, on the work done in the State and the receipts and expenditures of money under the provisions of this act.

SEC. 9. That the appropriation for the salaries of teachers, supervisors, or directors of agricultural subjects and of teachers of trade, home economics, and industrial subjects shall be devoted exclusively to the payment of salaries of such teachers, supervisors, or directors having the minimum qualifications

set up for the State by the State board, with the approval of the Federal Board for Vocational Education. The cost of instruction supplementary to the instruction in agricultural and in trade, home economics, and industrial subjects provided for in this act, necessary to build a well-rounded course of training, shall be borne by the State and local communities, and no part of the cost thereof shall be borne out of the appropriations herein made. The moneys expended under the provisions of this act, in cooperation with the States, for the salaries of teachers, supervisors, or directors of agricultural subjects, or for the salaries of teachers of trade, home economics, and industrial subjects, shall be conditioned that for each dollar of Federal money expended for such salaries the State or local community, or both, shall expend an equal amount for such salaries; and that appropriations for the training of teachers of vocational subjects, as herein provided, shall be conditioned that such money be expended for maintenance of such training and that for each dollar of Federal money so expended for maintenance, the State or local community, or both, shall expend an equal amount for the maintenance of such training.

SEC. 10. That any State may use the appropriation for agricultural purposes, or any part thereof allotted to it, under the provisions of this act, for the salaries of teachers, supervisors, or directors of agricultural subjects, either for the salaries of teachers of such subjects in schools or classes or for the salaries of supervisors or directors of such subjects under a plan of supervision for the State to be set up by the State board, with the approval of the Federal Board for Vocational Education. That in order to receive the benefits of such appropriation for the salaries of teachers, supervisors, or directors of agricultural subjects the State board of any State shall provide in its plan for agricultural education that such education shall be that which is under public supervision or control; that the controlling purpose of such education shall be to fit for useful employment; that such education shall be of less than college grade and be designed to meet the needs of persons over fourteen years of age who have entered upon or who are preparing to enter upon the work of the farm or of the farm home; that the State or local community, or both, shall provide the necessary plant and equipment determined upon by the State board, with the approval of the Federal Board for Vocational Education, as the minimum requirement for such education in schools and classes in the State; that the amount expended for the maintenance of such education in any school or class receiving the benefit of such appropriation shall be not less annually than the amount fixed by the State board, with the approval of the Federal board as the minimum for such schools or classes in the State; that such schools shall provide for directed or supervised practice in agriculture, either on a farm provided for by the school or other farm, for at least six months per year; that the teachers, supervisors, or directors of agricultural subjects shall have at least the minimum qualifications determined for the State by the State board, with the approval of the Federal Board for Vocational Education.

SEC. 11. That in order to receive the benefits of the appropriation for the salaries of teachers of trade, home economics, and industrial subjects the State board of any State shall provide in its plan for trade, home economics, and industrial education that such education shall be given in schools or classes under public supervision or control; that the controlling purpose of such education shall be to fit for useful employment; that such education shall be of less than college grade and shall be designed to meet the needs of persons over fourteen years of age who are preparing for a trade or industrial pursuit or who

have entered upon the work of a trade or industrial pursuit; that the State or local community, or both, shall provide the necessary plant and equipment determined upon by the State board, with the approval of the Federal Board for Vocational Education, as the minimum requirement in such State for education for any given trade or industrial pursuit; that the total amount expended for the maintenance of such education in any school or class receiving the benefit of such appropriation shall be not less annually than the amount fixed by the State board, with the approval of the Federal board, as the minimum for such schools or classes in the State; that such schools or classes giving instruction to persons who have not entered upon employment shall require that at least half of the time of such instruction be given to practical work on a useful or productive basis, such instruction to extend over not less than nine months per year and not less than thirty hours per week; that at least one-third of the sum appropriated to any State for the salaries of teachers of trade, home economics, and industrial subjects shall, if expended, be applied to part-time schools or classes for workers over fourteen years of age who have entered upon employment, and such subjects in a part-time school or class may mean any subject given to enlarge the civic or vocational intelligence of such workers over fourteen and less than eighteen years of age; that such part-time schools or classes shall provide for not less than one hundred and forty-four hours of classroom instruction per year; that evening industrial schools shall fix the age of sixteen years as a minimum entrance requirement and shall confine instruction to that which is supplemental to the daily employment; that the teachers of any trade or industrial subject in any State shall have at least the minimum qualifications for teachers of such subject determined upon for such State by the State board, with the approval of the Federal Board for Vocational Education: *Provided*, That for cities and towns of less than twenty-five thousand population, according to the last preceding United States census, the State board, with the approval of the Federal Board for Vocational Education, may modify the conditions as to the length of course and hours of instruction per week for schools and classes giving instruction to those who have not entered upon employment, in order to meet the particular needs of such cities and towns.

SEC. 12. That in order for any State to receive the benefits of the appropriation in this act for the training of teachers, supervisors, or directors of agricultural subjects, or of teachers of trade, industrial or home economics subjects, the State board of such State shall provide in its plan for such training that the same shall be carried out under the supervision of the State board; that such training shall be given in schools or classes under public supervision or control; that such training shall be given only to persons who have had adequate vocational experience or contact in the line of work for which they are preparing themselves as teachers, supervisors, or directors, or who are acquiring such experience or contact as a part of their training; and that the State board, with the approval of the Federal board, shall establish minimum requirements for such experience or contact for teachers, supervisors, or directors of agricultural subjects and for teachers of trade, industrial, and home economics subjects; that not more than sixty per centum nor less than twenty per centum of the money appropriated under this act for the training of teachers of vocational subjects to any State for any year shall be expended for any one of the following purposes: For the preparation of teachers, supervisors, or directors of agricultural subjects, or the preparation of teachers of trade and industrial subjects, or the preparation of teachers of home economics subjects.

SEC. 13. That in order to secure the benefits of the appropriations for the salaries of teachers, supervisors, or directors of agricultural subjects, or for

the salaries of teachers of trade, home economics, and industrial subjects, or for the training of teachers as herein provided, any State shall, through the legislative authority thereof, appoint as custodian for said appropriations its State treasurer, who shall receive and provide for the proper custody and disbursements of all money paid to the State from said appropriations.

SEC. 14. That the Federal Board for Vocational Education shall annually ascertain whether the several States are using, or are prepared to use, the money received by them in accordance with the provisions of this act. On or before the first day of January of each year the Federal Board for Vocational Education shall certify to the Secretary of the Treasury each State which has accepted the provisions of this act and complied therewith, certifying the amounts which each State is entitled to receive under the provisions of this act. Upon such certification the Secretary of the Treasury shall pay quarterly to the custodian for vocational education of each State the moneys to which it is entitled under the provisions of this act. The moneys so received by the custodian for vocational education for any State shall be paid out on the requisition of the State board as reimbursement for expenditures already incurred to such schools as are approved by said State board and are entitled to receive such moneys under the provisions of this act.

SEC. 15. That whenever any portion of the fund annually allotted to any State has not been expended for the purpose provided for in this act, a sum equal to such portion shall be deducted by the Federal board from the next succeeding annual allotment from such fund to such State.

SEC. 16. That the Federal Board for Vocational Education may withhold the allotment of moneys to any State whenever it shall be determined that such moneys are not being expended for the purposes and under the conditions of this act.

If any allotment is withheld from any State, the State board of such State may appeal to the Congress of the United States, and if the Congress shall not direct such sum to be paid it shall be covered into the Treasury.

SEC. 17. That if any portion of the moneys received by the custodian for vocational education of any State under this act, for any given purpose named in this act, shall, by any action or contingency, be diminished or lost, it shall be replaced by such State, and until so replaced no subsequent appropriation for such education shall be paid to such State. No portion of any moneys appropriated under this act for the benefit of the States shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings or equipment, or for the purchase or rental of lands, or for the support of any religious or privately owned or conducted school or college.

SEC. 18. That the Federal Board for Vocational Education shall make an annual report to Congress, on or before December first, on the administration of this act and shall include in such report the reports made by the State boards on the administration of this act by each State and the expenditure of the money allotted to each State.

Approved, February 23, 1917.

AGRICULTURAL EXPERIMENT STATIONS.

ACT OF 1887 ESTABLISHING AGRICULTURAL EXPERIMENT STATIONS.

[Hatch Act.]

AN ACT To establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to aid in acquiring and diffusing among the people of the United States useful and practical information on subjects connected with agriculture, and to promote scientific investigation and experiment respecting the principles and applications of agricultural science, there shall be established under direction of the college or colleges or agricultural departments of colleges in each State or Territory established, or which may hereafter be established, in accordance with the provisions of an act approved July second, eighteen hundred and sixty-two, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," or any of the supplements to said act, a department to be known and designated as an "agricultural experiment station": *Provided,* That in any State or Territory in which two such colleges have been or may be so established the appropriation hereinafter made to such State or Territory shall be equally divided between such colleges, unless the legislature of such State or Territory shall otherwise direct.

SEC. 2. That it shall be the object and duty of said experiment stations to conduct original researches or verify experiments on the physiology of plants and animals; the diseases to which they are severally subject, with the remedies for the same; the chemical composition of useful plants at their different stages of growth; the comparative advantages of rotative cropping as pursued under the varying series of crops; the capacity of new plants or trees for acclimation; the analysis of soils and water; the chemical composition of manures, natural or artificial, with experiments designed to test the comparative effects on crops of different kinds; the adaptation and value of grasses and forage plants; the composition and digestibility of the different kinds of food for domestic animals; the scientific and economic questions involved in the production of butter and cheese; and such other researches or experiments bearing directly on the agricultural industry of the United States as may in each case be deemed advisable, having due regard to the varying conditions and needs of the respective States and Territories.

SEC. 3. That in order to secure, as far as practicable, uniformity of methods and results in the work of said stations, it shall be the duty of the United States Commissioner [now Secretary] of Agriculture to furnish forms, as far as practicable, for the tabulation of results of investigation or experiment; to indicate

from time to time such lines of inquiry as to him shall seem most important, and, in general, to furnish such advice and assistance as will best promote the purpose of this act. It shall be the duty of each of said stations annually, on or before the first of February, to make to the governor of the State or Territory in which it is located a full and detailed report of its operations, including a statement of receipts and expenditures, a copy of which report shall be sent to each of said stations, to the said Commissioner [now Secretary] of Agriculture, and to the Secretary of the Treasury of the United States.

SEC. 4. That bulletins or reports of progress shall be published at said stations at least once in three months, one copy of which shall be sent to each newspaper in the States or Territories in which they are respectively located, and to such individuals actually engaged in farming as may request the same and as far as the means of the station will permit. Such bulletins or reports and the annual reports of said stations shall be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General may from time to time prescribe.

SEC. 5. That for the purpose of paying the necessary expenses of conducting investigations and experiments and printing and distributing the results as hereinbefore prescribed, the sum of fifteen thousand dollars per annum is hereby appropriated to each State, to be specially provided for by Congress in the appropriations from year to year, and to each Territory entitled under the provisions of section eight of this act, out of any money in the Treasury proceeding from the sales of public lands, to be paid in equal quarterly payments on the first day of January, April, July, and October in each year, to the Treasurer or other officer duly appointed by the governing boards of said colleges to receive the same, the first payment to be made on the first day of October, eighteen hundred and eighty-seven: *Provided, however,* That out of the first annual appropriation so received by any station an amount not exceeding one-fifth may be expended in the erection, enlargement, or repair of a building or buildings necessary for carrying on the work of such station; and thereafter an amount not exceeding five per centum of such annual appropriation may be so expended.

SEC. 6. That whenever it shall appear to the Secretary of the Treasury from the annual statement of receipts and expenditures of any of said stations that a portion of the preceding annual appropriation remains unexpended, such amount shall be deducted from the next succeeding annual appropriation to such station, in order that the amount of money appropriated to any station shall not exceed the amount actually and necessarily required for its maintenance and support.

SEC. 7. That nothing in this act shall be construed to impair or modify the legal relation existing between any of the said colleges and the government of the States or Territories in which they are respectively located.

SEC. 8. That in States having colleges entitled under this section to the benefits of this act and having also agricultural experiment stations established by law separate from said colleges, such States shall be authorized to apply such benefits to experiments at stations so established by such States; and in case any State shall have established, under the provisions of said act of July second aforesaid, an agricultural department or experimental station in connection with any university, college, or institution not distinctly an agricultural college or school, and such State shall have established or shall hereafter establish a separate agricultural college or school, which shall have connected therewith an experimental farm or station, the legislature of such State may apply in whole or in part the appropriation by this act made to such separate agricultural college or school, and no legislature shall by contract, express or implied, disable itself from so doing.

SEC. 9. That the grants of moneys authorized by this act are made subject to the legislative assent of the several States and Territories to the purposes of said grants: *Provided*, That payment of such installments of the appropriation herein made as shall become due to any State before the adjournment of the regular session of its legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof duly certified to the Secretary of the Treasury.

SEC. 10. Nothing in this act shall be held or construed as binding the United States to continue any payments from the Treasury to any or all the States or institutions mentioned in this act, but Congress may at any time amend, suspend, or repeal any or all the provisions of this act.

Approved, March 2, 1887 (24 Stat. L., 440).

ACT OF 1888 AMENDING (HATCH) ACT OF 1887.

AN ACT To amend an act entitled "An act to establish agricultural stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and the acts supplementary thereto."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grant of money authorized by the act of Congress entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of acts supplementary thereto," are subject as therein provided to the legislative assent of the States or Territories to be affected thereby; but as to such installments of the appropriations as may be now due or may hereafter become due, when the legislature may not be in session, the governor of said State or Territory may make the assent therein provided, and upon a duly certified copy thereof to the Secretary of the Treasury he shall cause the same to be paid in the manner provided in the act of which this is amendatory, until the termination of the next regular session of the legislature of such State or Territory.

Approved, June 7, 1888 (25 Stat. L., 176).

PROVISO IN ACT MAKING APPROPRIATIONS FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE FISCAL YEAR ENDING JUNE 30, 1890, FURTHER DEFINING WORK OF STATIONS ESTABLISHED UNDER ACT OF MARCH 2, 1887 (HATCH ACT).

That, as far as practicable, all such stations shall devote a portion of their work to the examination and classification of soils of their respective States and Territories, with a view to securing more extended knowledge and better development of their agricultural capabilities.

Approved, March 2, 1889 (25 Stat. L., 841).

ACT OF 1906 FOR THE FURTHER ENDOWMENT OF AGRICULTURAL EXPERIMENT STATIONS.

[Adams Act.]

AN ACT To provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, to be paid as hereinafter provided, to each State and Territory, for the

more complete endowment and maintenance of agricultural experiment stations now established or which may hereafter be established in accordance with the act of Congress approved March second, eighteen hundred and eighty-seven, the sum of five thousand dollars in addition to the sum named in said act for the year ending June thirtieth, nineteen hundred and six, and an annual increase of the amount of such appropriation thereafter for five years by an additional sum of two thousand dollars over the preceding year, and the annual amount to be paid thereafter to each State or Territory shall be thirty thousand dollars, to be applied only to paying the necessary expenses of conducting original researches or experiments bearing directly on the agricultural industry of the United States, having due regard to the varying conditions and needs of the respective States or Territories.

SEC. 2. That the sums hereby appropriated to the States and Territories for the further endowment and support of agricultural experiment stations shall be annually paid in equal quarterly payments on the first day of January, April, July, and October of each year by the Secretary of the Treasury, upon the warrant of the Secretary of Agriculture, out of the Treasury of the United States, to the treasurer or other officer duly appointed by the governing boards of said experiment stations to receive the same, and such officers shall be required to report to the Secretary of Agriculture on or before the first day of September of each year a detailed statement of the amount so received and of its disbursement, on schedules prescribed by the Secretary of Agriculture. The grants of money authorized by this act are made subject to legislative assent of the several States and Territories to the purpose of said grants: *Provided*, That payment of such installments of the appropriation herein made as shall become due to any State or Territory before the adjournment of the regular session of legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof, duly certified by the Secretary of the Treasury.

SEC. 3. That if any portion of the moneys received by the designated officer of any State or Territory for the further and more complete endowment, support, and maintenance of agricultural experiment stations as provided in this act shall by any action or contingency be diminished or lost or be misapplied, it shall be replaced by said State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory; and no portion of said moneys exceeding five per centum of each annual appropriation shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings, or to the purchase or rental of land. It shall be the duty of each of said stations annually, on or before the first day of February, to make to the governor of the State or Territory in which it is located a full and detailed report of its operations, including a statement of receipts and expenditures, a copy of which report shall be sent to each of said stations, to the Secretary of Agriculture, and to the Secretary of the Treasury of the United States.

SEC. 4. That on or before the first day of July in each year after the passage of this act the Secretary of Agriculture shall ascertain and certify to the Secretary of the Treasury as to each State and Territory whether it is complying with the provisions of this act and is entitled to receive its share of the annual appropriation for agricultural experiment stations under this act and the amount which thereupon each is entitled, respectively, to receive. If the Secretary of Agriculture shall withhold a certificate from any State or Territory of its appropriation, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the

close of the next Congress, in order that the State or Territory may, if it shall so desire, appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury; and the Secretary of Agriculture is hereby charged with the proper administration of this law.

SEC. 5. That the Secretary of Agriculture shall make an annual report to Congress on the receipts and expenditures and work of the agricultural experiment stations in all of the States and Territories, and also whether the appropriation of any State or Territory has been withheld, and if so, the reason therefor.

SEC. 6. That Congress may at any time amend, suspend, or repeal any or all of the provisions of this act.

Approved, March 16, 1906 (34 Stat. L., 63).

PROVISIONS OF ACT MAKING APPROPRIATIONS FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE FISCAL YEAR ENDING JUNE 30, 1907, CONSTRUING THE ACT OF MARCH 16, 1906 (ADAMS ACT).

The act of Congress approved March sixteenth, nineteen hundred and six, entitled "An act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof," shall be construed to appropriate for each station the sum of five thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and six, the sum of seven thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and seven, the sum of nine thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and eight, the sum of eleven thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and nine, the sum of thirteen thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and ten, and the sum of fifteen thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and eleven. The sum of five thousand dollars appropriated for the fiscal year nineteen hundred and six shall be paid on or before June thirtieth, nineteen hundred and six, and the amounts appropriated for the subsequent years shall be paid as provided in the said act to each State and Territory for the more complete endowment and maintenance of agricultural experiment stations now established or which may hereafter be established in accordance with the act of Congress approved March second, eighteen hundred and eighty-seven.

Approved, June 30, 1906 (34 Stat. L., 669, 696).

APPROPRIATIONS FOR THE STATE STATIONS.

[Annual appropriations for State agricultural experiment stations, in the act making appropriations for the United States Department of Agriculture for the fiscal year ending June 30, 1918.]

To carry into effect the provisions of an act approved March second, eighteen hundred and eighty-seven, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto," the sums apportioned to the several States and Territories, to be paid quarterly in advance, \$720,000;

To carry into effect the provisions of an act approved March sixteenth, nineteen hundred and six, entitled "An act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof," the sums apportioned to the several States and Territories, to be paid quarterly in advance, \$720,000: *Provided*, That not to exceed \$15,000 shall be paid to each State and Territory under this act.

COOPERATION OF BUREAUS OF THE UNITED STATES DEPARTMENT OF AGRICULTURE WITH THE STATE EXPERIMENT STATIONS.

The act making appropriations for the United States Department of Agriculture for the fiscal year ending June 30, 1918, provides for cooperation between the Bureau of Animal Industry and the State experiment stations in animal feeding and breeding; between the Bureau of Plant Industry and the North Dakota Agricultural College in the testing and breeding of fiber plants, including the testing of flax straw and hemp, which may be used for paper making; between the Bureau of Soils and the stations in the investigation of soils; between the Bureau of Entomology and the stations in the prevention of the spread of gipsy and brown-tail moths; and between the Bureau of Markets and the agricultural colleges and experiment stations in studies of cooperation among farmers.

REGULATIONS OF THE POST OFFICE DEPARTMENT CONCERNING FREE TRANSMISSION OF STATION PUBLICATIONS.

Sections 516 and 517 of the Postal Laws and Regulations (1902) of the United States relating to the free transmission of reports and bulletins of the experiment stations read as follows:

TO WHOM PUBLICATIONS MAY BE FRANKED.

SEC. 516. Bulletins or reports of progress, one copy to each newspaper in the State or Territory in which the colleges hereafter referred to are located, and to such individuals actually engaged in farming as may request the same, and the annual reports required by law to be published by the agricultural experiment stations established under the provisions of the act of March 2, 1887, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the various States and Territories under the provisions of an act approved July 2, 1862, and the acts supplementary thereto," for the benefit of agriculture and the mechanic arts (*of said stations*) shall be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General may from time to time prescribe.

HOW THE FRANKING PRIVILEGE IS TO BE USED.

SEC. 517. Agricultural experiment stations which claim the privilege of transmitting free through the mails, under the provisions of the preceding section, bulletins, reports of progress, or annual reports, must make application to the Postmaster General, stating the date of the establishment of such station, its proper name or designation, its official organization, and the names of its officers, the name of the university, college, school, or institution to which it is attached, if any, the legislation of the State or Territory providing for its establishment, and any other granting it the benefits of the provision made by Congress as referred to in the preceding section, accompanied by a copy of the act or acts, and whether any other such station in the same State or Territory is considered, or claims to be, also entitled to the privilege; and

also the place where such station is located and the name of the post office where the bulletins and reports will be mailed. The application must be signed by the officer in charge of the station.

2. If such application is allowed by the Postmaster General the postmaster at the proper office will be instructed to admit such bulletins and reports to the mails free of postage, and the officer in charge of the station will be notified thereof.

3. Only such bulletins or reports as shall have been issued after an experiment station became entitled to the privileges of the preceding section can be transmitted free; and such bulletins or reports may be inclosed in envelopes or wrappers, sealed or unsealed. On the exterior of every envelope, wrapper, or package must be written or printed the name of the station and place of its location, the designation of the bulletin or report inclosed, and the word "Free" over the signature or facsimile thereof of the officer in charge of the station, to be affixed by himself, or by some one duly authorized by him. There may also be written or printed upon the envelope or wrapper a request that the postmaster at the office of delivery will notify the mailing station of the change of address of the addressee, or other reason for inability to deliver the same, and upon a bulk package a request to the postmaster to open and distribute the "franked" matter therein, in accordance with the addresses thereon.

DEPARTMENT OF AGRICULTURE BULLETINS MAY BE FRANKED WITH STATION PUBLICATIONS.

4. Bulletins published by the United States Department of Agriculture, and entitled to be mailed free under the penalty envelope of that department, may also be adopted and mailed by agricultural experiment stations, with such of their own publications as are entitled to free transmission in the mails, under the same regulations; and any bulletins or reports mailable free by any agricultural experiment station under these regulations may be so mailed by any other station entitled to such privilege.

REPORTS OF STATE BOARDS OR DEPARTMENTS OF AGRICULTURE MAY NOT BE FRANKED.

5. If annual reports of an agricultural experiment station are printed by State authority, and consist in part of matter relating to the land-grant college to which such station is attached, then said report entire may be mailed free by the director of the station, provided, in his judgment, the whole consists of useful information of an agricultural character. But the reports of State agricultural departments or boards can not be adopted by agricultural experiment stations in order to secure free circulation of such State reports.

FREE DISTRIBUTION OF ANNUAL REPORTS NOT RESTRICTED.

6. The bulletins and reports of progress issued by agricultural experiment stations can only be sent free to the newspapers and persons stated in the preceding section [sec. 516]. The annual reports may be sent free to any address.

FREE TRANSMISSION OF ANNUAL REPORTS TO FOREIGN COUNTRIES.

A part of section 544, relating to free transmission of annual reports to certain foreign countries, reads as follows:

The annual reports of agricultural experiment stations may be sent free to Canada, Cuba, and Mexico.

RETURN AND DISPOSAL OF UNCLAIMED MATTER.

A part of section 672, relating to the return and disposal of unclaimed official matter, as amended April 26, 1912, reads as follows:

Unclaimed official mail sent under penalty envelope or label or the frank of a Member of Congress and unclaimed reports and bulletins sent out from State agricultural colleges and from agricultural experiment stations will be returned to the office of mailing if it is known. If the office of origin can not be ascertained, such mail will be returned to the post office at Washington, D. C.

FREE TRANSMISSION TO UNITED STATES POSSESSIONS.

An order of the Postmaster General provides—

Any article entitled to transmission free of postage in the domestic mails of the United States, either in a "penalty" envelope or under a duly authorized "frank," shall be entitled likewise to transmission in the mails free of postage between places in any possession of the United States from one to another of such possessions, from the United States to such possession, and from such possession to the United States.

Among rulings on matters of detail the following are the most important:

POSTAL CARDS MAY BE SENT FREE WITH BULLETINS.

In sending out bulletins from an agricultural experiment station it is permissible to inclose postal cards to enable correspondents of the station to acknowledge the receipt of its publications and to request their continuous transmission.

POSTAL CARDS ANNOUNCING ISSUE OF NEW PUBLICATIONS NOT FRANKABLE.

There is no provision in law authorizing the use of official penalty cards for the purpose of announcing in advance of issue the contents of forthcoming bulletins or reports.

PAID-FOR PUBLICATIONS MAY NOT BE FRANKED.

Copies of the reports or bulletins of the agricultural experiment stations, which are purchased, paid, or subscribed for, or otherwise disposed of for gain, when sent in the mails, are not entitled to free carriage under the "frank" of the director of station.

BULLETINS NOT FRANKABLE TO NEWSPAPERS OUTSIDE OF STATE OF ISSUE.

Bulletins are not mailable free to newspapers outside of the State or Territory in which the issuing station is located.

TYPEWRITTEN OR MECHANICALLY DUPLICATED BULLETINS OR REPORTS MAY BE FRANKED.

Station bulletins and reports, consisting of typewritten matter duplicated on a mimeograph or other duplicating machine, "retain their character as free matter when properly franked by the director of the station."

HOW CARD BULLETINS MAY BE FRANKED.

Cards upon which are printed bulletins issued by agricultural experiment stations established under the provisions of the act of March 2, 1887, may be sent openly in the mails, free of postage, provided the address side of such cards bears the indicia prescribed in paragraph 3, section 517, Postal Laws and Regulations, for envelopes used by the experiment stations referred to in mailing copies of their bulletins and reports.

REPORTS OF STATE BOARDS AND DEPARTMENTS OF AGRICULTURE AND COLLEGE CATALOGUES MAY NOT BE SENT UNDER STATION FRANK.

Reports of the State boards of agriculture or other State boards, commissioners, or officers, even though they contain station bulletins and reports, can not be sent free through the mails under the frank of the director of the station. The catalogue of the college of which the station is a department can not be sent free through the mails under the frank of the directors of the station, whether said catalogue is published separately or is bound together with a station publication.

RULINGS OF THE TREASURY DEPARTMENT AFFECTING AGRICULTURAL EXPERIMENT STATIONS.

From copies of letters addressed to the Secretary of the Treasury and others by the First Comptroller of the Treasury, relating to the construction of the acts of Congress of March 2, 1887 (Hatch Act), and March 16, 1906 (Adams Act), and acts supplementary thereto, the following digest has been prepared. The dates of the decisions by the comptroller are given:

ANNUAL FINANCIAL STATEMENT.

The annual financial statement of the stations, with vouchers, should not be sent to the Treasury Department, but a copy simply of the report that is made to the governor is to be sent to the Secretary of the Treasury. January 30, 1888.

REQUIREMENTS OF FISCAL OFFICERS.

1. The Treasury Department will not require officers of experiment stations to do or perform anything not specifically required by said bill.

2. The Secretary of the Treasury is not required to take a bond of the officers of said stations for the money paid over under the provisions of said act.

3. No reports will be required from the stations directly to the Secretary of the Treasury; but the governor of the State must send to the Secretary of the Treasury a copy of the report made to him by the colleges or stations. January 31, 1888.

SALE OF STATION BULLETINS.

The Solicitor of the Treasury writes: "I am of the opinion that there is no authority for an agricultural experiment station to sell its bulletins outside of the State or Territory. Congress appropriates for the publication and free distribution of the bulletins and neither expressly nor by necessary implication authorizes their sale." December 16, 1895.

ANTICIPATION OF FIRST QUARTER PAYMENTS.

The fiscal year commences on the 1st day of July, corresponding with the fiscal year of the Government.

An agricultural station entitled to the benefits of * * * appropriations made by Congress can anticipate the payment to be made July 1, and make contracts of purchases prior to that time, if it shall be necessary to carry on the work of the station. Of course, no portion of said appropriations paid in quarterly installments can be drawn from the Treasury unless needed for the purposes indicated in the act; and so much of what is so drawn as may not have been expended within the year must be accounted for as part of the appropriation for the following year. August 2, 1888.

ESTABLISHMENT OF INDEPENDENT STATIONS.

The [Hatch] Act contemplates that where stations have already been established disconnected from the colleges the legislatures of such States may make such provisions in regard thereto as they may deem proper; but it does not authorize the establishment of stations except in connection with the colleges that were at that time or might hereafter be established under the act of July 2, 1862. January 30, 1888.

DIVISION OF FUNDS BETWEEN STATIONS ALREADY ESTABLISHED.

Where there is an agricultural college or station which may have been established by State authority and is maintained by the State, the eighth section of the above act would authorize the State to designate the station to which it desired the appropriation to be applied, whether to one or more, or all, and the Secretary of the Treasury should make the payment under the appropriation to whichever one the State might desire. February 14, 1888.

DESIGNATION OF BENEFICIARIES OF THE HATCH FUND BY STATE LEGISLATURES.

1. When an agricultural college or station has been established under the act of July 2, 1862, each college is entitled to the benefits of the provisions of said act (i. e., of Mar. 2, 1887).

2. In a State where an agricultural college has been established under the act of July 2, 1862, and agricultural stations have also been established, either under the act of July 2, 1862, or by State authority, before March 2, 1887, the legislature of such State shall determine which one of said institutions, or how many of them, shall receive the benefits of the act of March 2, 1887.

3. If the legislature of any State in which an agricultural college has been established under the act of July 2, 1862, desires to establish an agricultural station which shall be entitled to the benefits of said act, it must establish such station in connection with said college. February 15, 1888.

It is within the power of the legislature of any State that has accepted the provisions of said act of March 2, 1887, to dispose of the amount appropriated by Congress for said station to each one or all of the agricultural colleges or stations which may have been established in said State by virtue of either the provisions of the act of July 2, 1862, or the provisions of said eighth section of the act of March 2, 1887.

The whole responsibility rests upon the State legislature as to how the fund appropriated by Congress shall be distributed among these various institutions of the State, provided there is one or more agricultural colleges with which an agricultural station is connected or one or more agricultural stations. December 7, 1888.

RULINGS OF THE COMPTROLLER OF THE TREASURY REGARDING UNEXPENDED BALANCES OF APPROPRIATIONS, HATCH AND ADAMS ACTS.

Section 3 of the so-called Adams Act of March 16, 1906 (34 Stat., 63), which provides for an increased annual appropriation for agricultural experiment stations, requires that such part of the money appropriated under the provisions of said act as may be diminished or lost or misapplied after being received by the officer of the State or Territory designated to receive same must "be replaced by said State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory"; and this requirement is an absolute prohibition upon the apportionment until such replacement is actually made, a mere withholding from the subsequent appropriation of an amount equal to that diminished, lost, or misapplied not being a compliance with said statute. (18 Comp. Dec., 120.)

Such funds may be replaced by expending the amount involved for the purposes for which the funds were originally appropriated, to the satisfaction of the Secretary of Agriculture. There is "no limitation on time within which the replacement shall be made," but "no apportionment whatever can be made until the misapplied moneys are replaced."

The provision in the Hatch Act of March 2, 1887 (24 Stat., 440), requiring the deduction of unexpended apportionments of appropriations applies also to appropriations under the Adams Act of March 16, 1906 (34 Stat., 63). (18 Comp. Dec., 485.)

Such unexpended balances must be accounted for as a part of the appropriation for the next succeeding year; in short, each station must account every year for the specific sum (\$15,000) provided by Congress, although the amount actually paid to the station in any one year may be less than \$15,000 on account of the deduction of an unexpended balance for the preceding fiscal year.

RULINGS OF THE DEPARTMENT OF AGRICULTURE ON THE WORK AND EXPENDITURES OF AGRICULTURAL EXPERIMENT STATIONS.

In connection with examinations of the work and expenditures of the agricultural experiment stations established in accordance with the act of Congress of March 2, 1887, and further endowed under act of Congress of March 16, 1906, under authority given to the Secretary of Agriculture by Congress, questions have arisen which have seemed to make it advisable to formulate the views of this department on certain matters affecting the management of the stations under those acts. The rulings which have been made from time to time on points which seemed to require special attention are as follows:

PERMANENT SUBSTATIONS.

This department holds that the expenditure of funds appropriated in accordance with the provisions of the act of Congress of March 2, 1887, for the maintenance of permanent substations is contrary to the spirit and intent of

said act. The act provides for an experiment station in each State and Territory, which, except in cases specified in the act, is to be a department of the college established under the act of Congress of July 2, 1862. The objects of the stations, as defined in the first-mentioned act, are evidently of such a character as to necessitate the services of scientific and expert workers. Most of the lines of investigation named in the act are general, rather than local, and involve scientific equipment and work. It is obviously the intent that the stations established under this act shall carry on important investigations which shall be of general benefit to the agriculture of the several States and Territories. The sum of \$15,000, which is annually appropriated by Congress under this act for each station, is only sufficient to carry out a limited number of investigations of the kind contemplated by the act.

As the work of the stations in the different States has developed it has been found necessary to limit, rather than expand, the lines of work of the individual stations. Thorough work in a few lines has been found more effective and productive of more useful results than small investigations in numerous lines. When we consider the nature of the investigations, the amount of money provided for the work of each station, and the fact that the act expressly provides for only a single station in connection with each college, it becomes very clear that expenditures such as are necessary to effectually maintain permanent substations ought not to be made from the funds granted by Congress to the States and Territories for experiment stations. The maintenance of permanent substations, as a rule, involve the erection of buildings and the making of other permanent improvements. The sums of money which can be expended for permanent improvements under the act of Congress aforesaid are so small that it is clear they were not intended to meet the needs of more than one station in each State and Territory.

When the legislature of a State or Territory has given its assent to the provisions of the act of Congress of March 2, 1887, and has designated the institution which shall receive the benefits of said act, it would seem to have exhausted its powers in the matter. The responsibility for the maintenance of an experiment station under said act devolves upon the governing board of the institution thus designated. If the legislature of the State or Territory sees fit to provide funds for the equipment and maintenance of other experiment stations and to put them under the control of the same governing board, well and good, but this does not in any way diminish the responsibility of the board to administer the funds granted by Congress in accordance with the provisions of said act.

The wisdom of Congress in limiting the number of stations to be established in each State and Territory under the aforesaid act has been clearly shown by the experience of the few States and Territories which have attempted the maintenance of substations with the funds granted under said act. The expense of maintaining substations has, as a rule, materially weakened the central station, and the investigations carried on at the substations have been superficial and temporary. It is granted that in many States and Territories more than one agricultural experiment station might do useful work, and in some States more than one station has already been successfully maintained; but in all these cases the State has given funds from its own treasury to supplement those given by Congress. It is also granted that experiment stations established under said act of Congress and having no other funds than those provided by that act will often need to carry on investigations in different localities in their respective States and Territories, but it is held that this should be done in such a way as will secure the thorough supervision of such investigations by the expert officers

of the station and that arrangements for such experimental inquiries should not be of so permanent a character as to prevent the station from shifting its work from place to place as circumstances may require nor involve the expenditure of funds in such amounts and in such ways as will weaken the work of the station as a whole.

As far as practicable the cooperation of individuals and communities benefited by these special investigations should be sought and, if necessary, the aid of the States invoked to carry on enterprises too great to be successfully conducted within the limits of the appropriation granted by Congress under the act aforesaid.

PURCHASE OR RENTAL OF LANDS FOR AGRICULTURAL EXPERIMENT STATIONS.

This department holds that the purchase or rental of lands by the experiment stations from the funds appropriated in accordance with the provisions of the act of Congress of March 2, 1887, is contrary to the spirit and intent of said act. The act provides for "paying the necessary expenses of conducting investigations and experiments and printing and distributing the results. * * * *Provided, however,* That out of the first annual appropriation so received by any station an amount not exceeding one-fifth may be expended in the erection, enlargement, or repair of a building or buildings necessary for carrying on the work of such stations; and thereafter an amount not exceeding five per centum of such annual appropriation may be so expended." The only reference to land for the station in the act is in section 8, where State legislatures are authorized to apply appropriations made under said act to separate agricultural colleges or schools established by the State "which shall have connected therewith an experimental farm or station." The strict limitation of the amount provided for buildings and the absence of any provision for the purchase or rental of lands, when taken in connection with the statement in the eighth section, which treats the farm as in a sense a necessary adjunct of the educational institution to which the whole or a part of the funds appropriated in accordance with said act might in certain cases be devoted, point to the conclusion that it was expected that the institution of which the station is a department would supply the land needed for experimental purposes and that charges for the purchase or rental of lands would not be made against the funds provided by Congress for the experiment station. This conclusion is reenforced by a consideration of a wise and economic policy in the management of agricultural experiment stations, especially as relating to cases in which it might be desirable for the station to have land for experimental purposes in different localities. The investigations carried on by the stations in such cases being for the direct benefit of agriculture in the localities where the work is done, it seems only reasonable that persons or communities whose interests will be advanced by the station work should contribute the use of the small tracts of land which will be required for experimental purposes. Experience shows that in most cases the stations have had no difficulty in securing such land as they needed without expense, and it is believed that this may be done in every case without injuriously affecting the interests of the stations.

AGRICULTURAL EXPERIMENT STATIONS FOR CARRYING ON FARM OPERATIONS.

This department holds that expenses incurred in conducting the operations of farms, whether the farms are connected with institutions established under the act of Congress of July 2, 1862, or not, are not a proper charge against the funds appropriated by Congress for agricultural experiment stations in accord-

ance with the act of Congress of March 2, 1887, unless such operations definitely constitute a part of agricultural investigations or experiments planned and conducted in accordance with the terms of the act aforesaid, under rules and regulations prescribed by the governing board of the station. The performance of ordinary farm operations by an experiment station does not constitute experimental work. Operations of this character by an experiment station should be confined to such as are a necessary part of experimental inquiries. Carrying on a farm for profit or as a model farm, or to secure funds which may be afterwards devoted to the erection of buildings for experiment station purposes, to the further development of experimental investigation, or to any other purpose, however laudable and desirable, is not contemplated by the law as a part of the functions of an agricultural experiment station established under the act of Congress of March 2, 1887. Section 5 of that act plainly limits the expenditures of funds appropriated in accordance with said act to "the necessary expenses of conducting investigations and experiments and printing and distributing the results."

SALES FUNDS OF AN AGRICULTURAL EXPERIMENT STATION.

This department holds that moneys received from the sales of farm products or other property in the possession of an agricultural experiment station as the result of expenditures of funds received by the station in accordance with the act of Congress of March 2, 1887, rightfully belong to the experiment station as a department of the college or other institution with which it is connected, and may be expended in accordance with the laws or regulations governing the financial transactions of the governing board of the station, provided, however, that all expenses attending such sales, including those attending the delivery of the property into the possession of the purchaser, should be deducted from the gross receipts from the sales and should not be made a charge against the funds appropriated by Congress.

LIMIT OF EXPENDITURES OF EXPERIMENT STATIONS DURING ONE FISCAL YEAR.

This department holds that expenses incurred by an agricultural experiment station in any one fiscal year to be paid from the funds provided under the act of Congress of March 2, 1887, should not exceed the amount appropriated to the station by Congress for that year, and especially that all personal services should be paid for out of the appropriation of the year in which they were performed, and that claims for compensation for such services can not properly be paid out of the appropriations for succeeding years. The several appropriations for experiment stations under the aforesaid act are for one year only, and officers of experiment stations have no authority to contract for expenditures beyond the year for which Congress has made appropriations.

This is plainly implied in the act aforesaid, inasmuch as section 6 provides that unexpended balances shall revert to the Treasury of the United States, "in order that the amount of money appropriated to any station shall not exceed the amount actually and necessarily required for its maintenance and support." The annual financial report rendered in the form prescribed by this department should in every case include only the receipts and expenditures of the fiscal year for which the report is made.

EXPENDITURES FOR A WATER SYSTEM TO BE CHARGED UNDER "BUILDINGS AND REPAIRS."

This department holds that expenditures by agricultural experiment stations from the funds appropriated in accordance with the act of Congress of March 2, 1887, for the construction of wells, cisterns, ponds, or other reservoirs for the

storage of water, and for piping, and other materials for a system of storing and distributing water, are properly charged, under abstract 18 in the schedule for financial reports prescribed by this department, as being for improvements on lands which have hitherto been held to come under the head of "buildings and repairs." The fact that a water system may be a necessary adjunct of certain experimental inquiries does not affect the case, inasmuch as the limitations on expenditures for improvements contained in section 5 of the act of Congress of March 2, 1887, expressly stipulate that these improvements shall be such as are necessary for carrying on the work of the station.

MEMBERSHIP FEES IN AGRICULTURAL AND OTHER ORGANIZATIONS.

This department holds that membership fees in associations and other organizations are not a proper charge against the funds appropriated by Congress in accordance with the act of March 2, 1887, except in the case of the Association of American Agricultural Colleges and Experiment Stations, which is held to be an essential part of the system of experiment stations established under said act.

THE BORROWING OF MONEY BY AGRICULTURAL EXPERIMENT STATIONS.

This department holds that experiment station officers have no authority to borrow money to be repaid out of appropriations made under the act of Congress of March 2, 1887, and that charges for interest can not properly be made against funds appropriated under that act.

THE USE OF EXPERIMENT STATION FUNDS FOR COLLEGE PURPOSES.

This department holds that no portion of the funds appropriated by Congress in accordance with the act of March 2, 1887, can legally be used, either directly or indirectly, for paying the salaries or wages of professors, teachers, or other persons whose duties are confined to teaching, administration, or other work in connection with the courses of instruction given in the colleges with which the stations are connected or in any other educational institution; nor should any other expenses connected with the work or facilities for instruction in school or college courses be paid from said fund. In case the same persons are employed in both the experiment station and the other departments of the college with which the station is connected a fair and equitable division of salaries or wages should be made, and in case of any other expenditures for the joint benefit of the experiment station and the other departments of the college the aforesaid funds should be charged with only a fair share of such expenditures.

EXPENSES FOR EXTENSION WORK NOT CHARGEABLE TO THE HATCH FUND.

[Extract from circular letter of the Director of the Office of Experiment Stations of Feb. 25, 1909.]

Expenses for extension work should not be charged against the Hatch fund, and * * * only such printing should be done with that fund as will record the experimental work of the stations established under the Hatch Act. * * *

ACCOUNTING AND USES OF THE ADAMS FUND.

[Extract from circular letter of the Secretary of Agriculture of Mar. 20, 1906.]

Under the terms of the act it will be necessary that a separate account of the Adams fund shall be kept at each station, which should be open at all times to the inspection of the Director of the Office of Experiment Stations or his accredited representative. * * *

The Adams fund is "to be applied only to paying the necessary expenses of conducting original researches or experiments bearing directly on the agricultural industry of the United States." It is for the "more complete endowment and maintenance" of the experiment stations, presupposing the provision of a working plant and administrative officers. Accordingly, expenses for administration, care of buildings and grounds, insurance, office furniture and fittings, general maintenance of the station farm and animals, verification and demonstration experiments, compilations, farmers' institute work, traveling, except as is immediately connected with original researches in progress under this act, and other general expenses for the maintenance of the experiment stations, are not to be charged to this fund. The act makes no provision for printing or for the distribution of publications, which should be charged to other funds. * * *

CLASSIFICATION OF ACCOUNTS.

In accordance with the requirement that the Secretary of Agriculture shall prescribe the form of the annual financial statement required under the Hatch and Adams Acts, forms are issued by the Office of Experiment Stations which provide for the classification of station accounts under 18 ledger headings, as follows:

- (1) *Salaries*—administrative, technical, and clerical.
- (2) *Labor*, regular and temporary, in connection with experiments.
- (3) *Publications*, printing, illustration, envelopes for mailing, etc.
- (4) *Postage and stationery*, including means of communication, such as telephone, telegraph, and cable service; and stationery for office and record purposes, forms, index cards, etc.
- (5) *Freight and express*, including drayage or other charges for handling freight.
- (6) *Heat, light, water, and power*.
- (7) *Chemicals and laboratory supplies* for all departments of the station, not including apparatus of permanent character.
- (8) *Seeds, plants, and sundry supplies* not otherwise provided for, for various departments.
- (9) *Fertilizers*, including water for irrigation.
- (10) *Feeding stuffs* for work animals and those under experiment.
- (11) *Library*—books, periodicals, and binding, but not including equipment or general supplies.
- (12) *Tools, machinery, and appliances*, such as agricultural implements and machines, motors, mills, pumps, vehicles, harness, and small movable structures like animal cages, brooders, or shelters, including repairs to same.
- (13) *Furniture and fixtures* for offices and laboratories—desks, cases, typewriters, and office appliances.
- (14) *Scientific apparatus and specimens*, including mounted insects, fungi, etc.
- (15) *Live stock*, including purchase of animals of all kinds for work or experimental purposes, but not their feeding and care.
- (16) *Traveling expenses* in supervision of station work or in connection with it.
- (17) *Contingent expenses*, to be itemized in detail.
- (18) *Buildings and land*, including all expenses for labor and material for the erection, alteration, and repair of buildings, permanent structures built in place, purchase of permanent fixtures forming part of a building, purchase or rental of land (under Adams fund only), and improvements on land, such as roads, fences, drainage or water systems, etc.

REQUIREMENTS OF EXPERIMENT STATION ACCOUNTING.

[See circular letter of the Director of the Office of Experiment Stations of Mar. 1, 1911.]

The principle which should guide is that all expenditures from the Hatch fund must be for experimental work and publications, and all expenditures from the Adams fund for the projects agreed upon in advance with the Office of Experiment Stations.

In adjusting the salaries of station employees only such portion of their time as is occupied in connection with experimental work and the publication of the results thereof, including correspondence directly relating to the experimental work, should be charged to the Federal funds for the station. All business and correspondence connected with the college, inspection service, and extension department or bureau of information should be paid for from other funds.

The same principle should be applied to all other expenditures from these funds for the maintenance of the station.

The Adams fund expenditures for salaries, labor, travel, apparatus, books, and maintenance should be strictly confined to those necessitated by the projects on file which have been approved by this office. Each voucher should be indorsed with the title of the project for which the expenditure was incurred, and be O. K'd by the officer in immediate charge of the project, as well as by the director.

Separate accounts should be kept for the Hatch, Adams, and sales funds, and as far as practicable separate vouchers should be on file for each of these funds.

The sales funds should be used only for experiment station work and publications and not for inspection or extension work or compiled publications.

Bills for printing, illustrations, preparation of MS., or mailing of publications should not be charged to the Hatch fund unless the publications clearly record the experimental work of the station. Popular bulletins charged to the Hatch fund should expressly show that they embody the results of the station's experimental work. General bulletins of information, circulars containing directions for the use of fertilizers, spraying, etc., which are compiled from well-known sources of information or embody the general or local experience of practical men, and other compiled publications, should not be charged to the Hatch fund.

The expenses of tests and local demonstrations of established results of experimental work or improved practice are not proper charges against the Federal funds for the stations.

In keeping the station books and vouchers and in making up the financial reports strict attention should be paid to the rulings of the department, the published scheme of classification of accounts, and the instructions printed on the first page of the financial schedule and in connection with the several abstracts thereof.

When changes are made of accountants or clerks, the requirements of the department regarding the details of expenditure and accounting should be brought to the attention of the new incumbents, and care should be taken that approved methods of accounting shall not be changed without consideration of the department's requirements.

ADMINISTRATION OF HATCH AND ADAMS ACTS.

[Extract from report of the Secretary of Agriculture, 1913.]

Efficient station work demands an atmosphere of fairness and justice and reasonable security to the staff. It furthermore requires stability of policy and the highest possible measure of continuity in work and in personnel. Money

spent on discontinued or interrupted projects is usually very largely wasted. The director of the station, as the guiding head, is mainly responsible for the success of the station. A good station and a good director go together. The station director deserves to be sustained and supported by the governing board in carrying out the general policy after it is approved by them. A change in the director is inevitably a temporary shock to the work, often interrupts projects, causes changes in the policy and personnel, and creates an era of uncertainty; hence a change is not justified except when clearly indicated by incompetence or inability. In the discharge of its functions in administering the Federal funds and in seeing that they are properly used, the Department of Agriculture should not fail to take cognizance of so important and vital a change as that of director.

The Adams Act directs that the Secretary of Agriculture shall each year ascertain and certify to the Secretary of the Treasury as to each State and Territory, whether it is complying with the provisions of this act and is entitled to receive a share of the annual appropriation. It authorizes the Secretary to withhold certification, thus suspending payment, and to report the matter to Congress. While the right of the colleges to direct the stations within their States and select the members of the station staff is recognized, radical changes in the personnel or policy of the station, except for good and valid reasons, should, it is believed, be held to be unwarranted interference of the governing board with the conduct of the station. Such action fails to recognize the cardinal principles of efficient administration and places an institution in a position of inability to properly employ the Federal funds. It is believed that such a condition does not warrant the Federal Government in continuing to advance funds to the college or its experiment station, and should lead to the withholding of funds until conditions favorable to their effective use are restored.

COOPERATIVE EXTENSION WORK.

ACT OF 1914 PROVIDING FOR COOPERATIVE EXTENSION WORK.

[Smith-Lever Act.]

AN ACT To provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July second, eighteen hundred and sixty-two, and of acts supplementary thereto, and the United States Department of Agriculture.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to aid in diffusing among the people of the United States useful and practical information on subjects relating to agriculture and home economics, and to encourage the application of the same, there may be inaugurated in connection with the college or colleges in each State now receiving, or which may hereafter receive, the benefits of the act of Congress approved July second, eighteen hundred and sixty-two, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts" (Twelfth Statutes at Large, page five hundred and three), and of the act of Congress approved August thirtieth, eighteen hundred and ninety (Twenty-sixth Statutes at Large, page four hundred and seventeen and chapter eight hundred and forty-one), agricultural extension work which shall be carried on in cooperation with the United States Department of Agriculture: *Provided*, That in any State in which two or more such colleges have been or hereafter may be established the appropriations hereinafter made to such State shall be administered by such college or colleges as the legislature of such State may direct: *Provided further*, That, pending the inauguration and development of the cooperative extension work herein authorized, nothing in this act shall be construed to discontinue either the farm management work or the farmers' cooperative demonstration work as now conducted by the Bureau of Plant Industry of the Department of Agriculture.

SEC. 2. That cooperative agricultural extension work shall consist of the giving of instruction and practical demonstrations in agriculture and home economics to persons not attending or resident in said colleges in the several communities, and imparting to such persons information on said subjects through field demonstrations, publications, and otherwise; and this work shall be carried on in such manner as may be mutually agreed upon by the Secretary of Agriculture and the State agricultural college or colleges receiving the benefits of this act.

SEC. 3. That for the purpose of paying the expenses of said cooperative agricultural extension work and the necessary printing and distributing of information in connection with the same, there is permanently appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$480,000 for each year, \$10,000 of which shall be paid annually, in the manner hereinafter provided, to each State which shall by action of its legislature assent to the provisions of this act: *Provided*, That payment of such installments of the appropriation hereinbefore made as shall become due to any State

before the adjournment of the regular session of the legislature meeting next after the passage of this act may, in the absence of prior legislative assent, be made upon the assent of the governor thereof, duly certified to the Secretary of the Treasury: *Provided further*, That there is also appropriated an additional sum of \$600,000 for the fiscal year following that in which the foregoing appropriation first becomes available, and for each year thereafter for seven years a sum exceeding by \$500,000 the sum appropriated for each preceding year, and for each year thereafter there is permanently appropriated for each year the sum of \$4,100,000 in addition to the sum of \$480,000 hereinbefore provided: *Provided further*, That before the funds herein appropriated shall become available to any college for any fiscal year plans for the work to be carried on under this act shall be submitted by the proper officials of each college and approved by the Secretary of Agriculture. Such additional sums shall be used only for the purposes hereinbefore stated, and shall be allotted annually to each State by the Secretary of Agriculture and paid in the manner hereinbefore provided, in the proportion which the rural population of each State bears to the total rural population of all the States as determined by the next preceding Federal census: *Provided further*, That no payment out of the additional appropriations herein provided shall be made in any year to any State until an equal sum has been appropriated for that year by the legislature of such State, or provided by State, county, college, local authority, or individual contributions from within the State, for the maintenance of the co-operative agricultural extension work provided for in this act.

SEC. 4. That the sums hereby appropriated for extension work shall be paid in equal semiannual payments on the first day of January and July of each year by the Secretary of the Treasury upon the warrant of the Secretary of Agriculture, out of the Treasury of the United States, to the treasurer or other officer of the State duly authorized by the laws of the State to receive the same; and such officer shall be required to report to the Secretary of Agriculture, on or before the first day of September of each year, a detailed statement of the amount so received during the previous fiscal year, and of its disbursement, on forms prescribed by the Secretary of Agriculture.

SEC. 5. That if any portion of the moneys received by the designated officer of any State for the support and maintenance of cooperative agricultural extension work, as provided in this act, shall by any action or contingency be diminished or lost or be misapplied, it shall be replaced by said State to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to said State, and no portion of said moneys shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings, or the purchase or rental of land, or in college-course teaching, lectures in colleges, promoting agricultural trains, or any other purpose not specified in this act, and not more than five per centum of each annual appropriation shall be applied to the printing and distribution of publications. It shall be the duty of each of said colleges annually, on or before the first day of January, to make to the governor of the State in which it is located a full and detailed report of its operations in the direction of extension work as defined in this act, including a detailed statement of receipts and expenditures from all sources for this purpose, a copy of which report shall be sent to the Secretary of Agriculture and to the Secretary of the Treasury of the United States.

SEC. 6. That on or before the first day of July in each year after the passage of this act the Secretary of Agriculture shall ascertain and certify to the Secretary of the Treasury as to each State whether it is entitled to receive its share of the annual appropriation for cooperative agricultural extension work under this act, and the amount which it is entitled to receive. If the Secretary of

Agriculture shall withhold a certificate from any State of its appropriation, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the expiration of the Congress next succeeding a session of the legislature of any State from which a certificate has been withheld, in order that the State may, if it should so desire, appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury.

SEC. 7. That the Secretary of Agriculture shall make an annual report to Congress of the receipts, expenditures, and results of the cooperative agricultural extension work in all of the States receiving the benefits of this act, and also whether the appropriation of any State has been withheld, and if so, the reasons therefor.

SEC. 8. That Congress may at any time alter, amend, or repeal any or all of the provisions of this act.

Approved, May 8, 1914 (33 Stat. L., 372).

FRANKING PRIVILEGE.

PROVISION OF ACT MAKING APPROPRIATIONS FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE FISCAL YEAR ENDING JUNE 30, 1915.

All correspondence, bulletins, and reports for the furtherance of the purposes of the act approved May eighth, nineteen hundred and fourteen, entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July second, eighteen hundred and sixty-two, and the acts supplementary thereto, and the United States Department of Agriculture," may be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General, from time to time, may prescribe, by such college officer or other person connected with the extension department of such college as the Secretary of Agriculture may designate to the Postmaster General (38 Stat. L., 415, 438).

In a letter to the Secretary of Agriculture, dated April 28, 1915, the Postmaster General ruled that the above proviso "is regarded as permanent legislation."

ORDER (NO. 8547) OF THE POSTMASTER GENERAL REGARDING THE FRANKING PRIVILEGE UNDER THE SMITH-LEVER ACT.

[Approved Dec. 21, 1914.]

The Postal Laws and Regulations, edition of 1913, are amended by the addition of the following as section 504½:

504½. All correspondence, bulletins, and reports for the furtherance of the purpose of the act approved May 8, 1914 (see paragraph 2 of this section), entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and the acts supplementary thereto, and the United States Department of Agriculture," may be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General from time to time may prescribe, by such college officer or other person connected with the extension department of such college as the Secretary of Agriculture may designate to the Postmaster General. (Act of June 30, 1914.)

2. There may be inaugurated in connection with the college or colleges in each State now receiving, or which may hereafter receive, the benefits of the act of Congress approved July 2, 1862 * * * (12 Stat., 503), and the act of Congress approved August 30, 1890 (26 Stat., 417), agricultural extension work which shall be carried on in cooperation with the United States Department of Agriculture. * * * Cooperative agricultural extension work shall consist of the giving of instruction and practical demonstrations in agriculture and home economics to persons not attending or resident in said colleges in the several communities, and imparting to such persons information on said subjects through field demonstrations, publications, and otherwise. (Act of May 8, 1914.)

3. Upon designation of the Postmaster General by the Secretary of Agriculture of a college officer or other person connected with the extension department of a State agricultural college receiving the benefits of the act of July 2, 1862, and the acts supplementary thereto, by whom the correspondence, bulletins, and reports mentioned in paragraph 1 of this section are to be transmitted, the Third Assistant Postmaster General shall authorize the postmaster at the post office where the extension department of such college is located to accept from the officer or person so designated such correspondence, bulletins, and reports for free transmission in the mails.

4. In the upper left corner of the envelope or wrapper containing such correspondence, bulletins, or reports shall be printed over the words "Free—Cooperative Agricultural Extension Work—Acts of May 8 and June 30, 1914," the name of the agricultural college and the name of the post office at which the matter is to be accepted free, followed by the name and title of the college officer or person designated to transmit such matter, and in the upper right corner the words "Penalty for private use to avoid payment of postage, \$300." The designated college officer or person is not authorized to furnish such envelopes for use as return envelopes by individuals or concerns from whom replies are requested.

5. Only such correspondence, bulletins, and reports as are for the furtherance of the purposes of the act of May 8, 1914, set forth in paragraph 2 of this section, and are mailed at the authorized post office by the college officer or other person duly designated may be transmitted free under the provisions of this section. All such correspondence, etc., to be entitled to free transmission, must be conducted under the name of such designated college officer or person. Correspondence with autograph signature may be mailed sealed, but all other matter shall be presented unsealed.

6. When in doubt as to whether any particular matter presented for mailing under the provisions of this section is entitled to be transmitted free, the postmaster shall submit a sample to the Third Assistant Postmaster General, Division of Classification, and pending decision may dispatch the matter if the sender makes a deposit to cover the postage at the proper rate. The deposit will be refunded if the matter is held to be entitled to free transmission.

INSTRUCTIONS REGARDING THE USE OF PENALTY ENVELOPES OF THE UNITED STATES
DEPARTMENT OF AGRICULTURE BY COOPERATIVE EXTENSION EMPLOYEES.

[Approved by the Secretary of Agriculture May 3, 1916.]

The following instructions, relative to the use of the penalty envelopes of the United States Department of Agriculture, should be strictly observed by all persons engaged in extension work under appointment from the United States Department of Agriculture whether they receive all or any part of their salary from the department.

The use of penalty envelopes is restricted to "matters relating exclusively to the business of the Government," and they must, therefore, be used cautiously and in strict compliance with the law and the postal regulations, their unlawful use being an offense punishable by a maximum fine of \$300. The cooperative agents or employees of the United States Department of Agriculture, any part of whose salary is paid by that department, have the right to use the penalty envelope only on "matters relating exclusively to the business of the Government of the United States" for which appointment from the United States Department of Agriculture is made.

The fact that the agent who receives a part of his salary from the department is also engaged in extension work under the general cooperative agreement with the State agricultural college does not give him the right to use the department penalty envelope for all extension business. His use of such envelope must be confined to those extension enterprises which are covered by the terms of his commission from the department and the projects in which the department funds are used.

In using the official penalty envelope, post card, or tag the following instructions should be observed:

1. *In official correspondence with the United States Department of Agriculture.*—All correspondence addressed to the United States Department of Agriculture pertaining to the work for which the employee receives his Federal appointment may be conducted in penalty envelopes. All such letters should be inclosed in envelopes addressed to the office through which the Federal appointment was made. Such letters must relate entirely to the official public business covered by the appointment which may include the sending in of reports, requests for information, requests for bulletins and supplies and other material needed in the work, and responses to inquiries made by officials of the department.

2. *Correspondence with supervising agents, leaders or directors within the State, and with other field employees holding appointments from the United States Department of Agriculture and engaged in similar work.*—All such correspondence must relate entirely to the official business for which the employee was appointed by the United States Department of Agriculture in order to entitle it to transmission in penalty envelopes.

3. *Correspondence with farmers and other persons.*—Penalty envelopes may be used to transmit through the mails letters of instruction to farmers engaged in carrying on demonstrations, notices of meetings to be held in furtherance of the work for which the agent received his Federal appointment, and of special demonstrations. All such correspondence should relate either to the giving of information to farmers or their families relative to demonstrations conducted under the supervision of the agent, and advice to farmers in answer to their inquiries, or of instruction to farmers and their families regarding some feature of agriculture or home economics taken up by the agent in furtherance of the work for which he was employed by the department.

They may be used to call the attention of the farmers to such farmers' meetings as are held in furtherance of the work for which the agent was employed, but shall not be used to send out notices of meetings of organizations of farmers and business men or indiscriminate announcements of farmers' meetings. In no case should penalty envelopes be used for the purpose of relieving organizations from paying postage on matter issued by the organization and which is therefore properly chargeable with postage.

4. Penalty envelopes must not be used in transacting such private business as sending for catalogues, price lists, seeds, implements, fertilizers, etc., for farmers or groups of farmers, nor in seeking markets for products of individual farmers

or groups of farmers, nor in mailing catalogues, announcements, or price lists of State, county, or other fairs.

5. An addressed return penalty envelope or post card may be sent out to farmers and other persons from whom information is desired, provided such information is to be used strictly in furtherance of the work for which the agent received his Federal appointment. Such use of the penalty envelopes should be made with great caution for fear of the abuse of the privilege by uninstructed individuals. County agents should not send out circular letters of inquiry in penalty envelopes unless they are instructed to do so by their State leader, who should send to the department copies of all such letters which he has approved. Penalty envelopes and tags should never be furnished to farmers or others to be used in sending any commodity through the mails.

6. In all correspondence mailed in penalty envelopes agents should use either department letterheads or letterheads approved by the department which clearly indicate the participation of the United States Department of Agriculture in the cooperative work undertaken by the agent. The form recommended by the States Relation Service is as follows, and may be adapted to meet the needs of each State and county:

Cooperative Extension Work
in
Agriculture and Home Economics,
State of [Massachusetts].

State Agricultural College,
U. S. Department of Agriculture
(other State or county organization)
cooperating.

Extension Service,
County Agent Work.

[Springfield, Mass.]

In this letterhead slight changes if approved by the department may be made in the printed matter, but no change can be made in the general form of heading, and no one of the cooperating parties should be given more prominence than others, and the order indicated must be observed.

Do not use private letterheads or letterheads containing any advertising matter. Letterheads of the agricultural college which do not show the cooperation of the United States Department of Agriculture in the work and which have not been approved by the department should not be used.

7. No private matter whatever should be included in any letter sent in penalty envelopes; the entire letter should relate exclusively to the business of the United States for which the employee received his Federal appointment. Agents should not use official letterheads or envelopes for personal correspondence even though postage is affixed. Letters or circulars sent in penalty envelopes must not be signed by any person except the authorized agent of the United States Department of Agriculture, who must affix his official title and headquarters.

8. *Printed matter*.—Penalty envelopes of the United States Department of Agriculture may be used by agents in distributing bulletins and circulars published by the United States Department of Agriculture which they are authorized to distribute. Bulletins and circulars published by any agricultural college or experiment station may be sent in United States Department of Agriculture penalty envelopes only in cases where such publications contain valuable information on agriculture or home economics which the agent of the department desires to furnish to particular persons who have made inquiry of him for such information or to persons with whom the agent is conducting some demonstration or other special work. Such bulletins or circulars so sent should be accompanied by a letter signed by the agent, with his official title.

Penalty envelopes must not be used for general distribution of bulletins and circulars of the colleges or stations or other organizations. Where miscellaneous requests for bulletins of colleges or stations or other public institutions are received by agents in their official capacity, such requests may be forwarded in a penalty envelope to the proper authority for attention.

Newspapers, clippings, magazines, and other printed matter which contain articles about the work of the agents may be transmitted to the supervising agents of the department in penalty envelopes, but should be accompanied by a letter of transmittal clearly showing that the printed matter is sent in for the purpose of advising the officer to whom it is directed. No literature should be distributed in penalty envelopes commending products of particular firms or individuals.

9. No matter containing commercial, religious, or political announcements or advertisements should ever be sent in penalty envelopes, except in cases where a request is made by an official of the department that the agent send in such pamphlets or printed matter for official purposes.

10. No letters or printed matter soliciting funds for the support of any association or other organization should be sent in penalty envelopes.

11. All official circulars, bulletins, or reports issued by the agent which are to be mailed in penalty envelopes must have had the subject matter and form approved by the State director of extension. On the front page must be clearly shown the cooperation of the United States Department of Agriculture as set forth in the approved form for letterheads, also the name and official title of the agent. No publication of a county organization as such should be distributed in penalty envelopes. Correspondence with autograph signature may be mailed sealed from any post office, but all other matter should be presented unsealed and only at the post office designated for that purpose.

For all other business and in all cases of doubt, do not use penalty envelopes, but pay the postage. Resolve all questions of doubt against the right to use such envelopes or submit for decision particular cases to the head of the office through which the Federal appointment was made.

FUNDS AVAILABLE TO THE STATES UNDER THE SMITH-LEVER ACT.

The following table shows the maximum amounts of money which the several States are eligible to receive from the Federal Government under the Smith-Lever Act as calculated on the proportion which the rural population of each State bears to the total rural population of the United States according to the census of 1910.

Maximum amounts of Federal funds which each State is eligible to receive under the Smith-Lever Act for cooperative agricultural extension work.¹

State.	Rural population, census 1910.	Proportion of total rural population, census 1910.	Fiscal year 1914-15.	Fiscal year 1915-16.	Fiscal year 1916-17.	Fiscal year 1917-18.	Fiscal years 1918-19, 1919-20. ² Add the following amounts to those of the year immediately preceding.
		<i>Per cent.</i>					
Alabama.....	1,767,662	3.5819696	\$10,000	\$31,491.82	\$49,401.67	\$67,311.52	\$17,909.85
Arizona.....	141,094	.2859112	10,000	11,715.47	13,145.03	14,574.59	1,429.56
Arkansas.....	1,371,768	2.7797346	10,000	26,678.41	40,577.08	54,475.75	13,898.67
California.....	907,810	1.8395756	10,000	21,037.45	30,235.33	39,433.21	9,197.88
Colorado.....	394,184	.7987699	10,000	14,792.62	18,786.47	22,780.32	3,993.85
Connecticut.....	114,917	.2328665	10,000	11,397.20	12,561.53	13,725.86	1,164.33
Delaware.....	105,237	.2132510	10,000	11,279.51	12,345.76	13,412.01	1,066.25
Florida.....	533,539	1.0811572	10,000	16,486.94	21,892.73	27,298.52	5,405.79
Georgia.....	2,070,471	4.1955782	10,000	35,173.47	56,151.36	77,129.25	20,977.89
Idaho.....	255,696	.5181394	10,000	13,108.84	15,699.54	18,290.24	2,590.70
Illinois.....	2,161,662	4.3803666	10,000	36,282.20	58,184.03	80,085.86	21,901.83
Indiana.....	1,557,041	3.1551697	10,000	28,931.02	44,706.87	60,482.72	15,775.85
Iowa.....	1,544,717	3.1301965	10,000	28,781.18	44,432.16	60,083.14	15,650.98
Kansas.....	1,197,159	2.4259090	10,000	24,555.45	36,685.00	48,814.55	12,129.55
Kentucky.....	1,734,463	3.5146956	10,000	31,088.17	48,661.65	66,235.13	17,573.48
Louisiana.....	1,159,872	2.3503511	10,000	24,102.11	35,853.87	47,605.63	11,751.76
Maine.....	360,928	.7313803	10,000	14,388.28	18,045.18	21,702.08	3,656.90
Maryland.....	637,154	1.2911214	10,000	17,746.73	24,202.34	30,657.95	6,455.61
Massachusetts....	241,049	.4884589	10,000	12,930.75	15,373.04	17,815.33	2,442.29
Michigan.....	1,483,129	3.0053953	10,000	28,032.37	43,059.35	58,086.33	15,026.98
Minnesota.....	1,225,414	2.4831646	10,000	24,898.99	37,314.81	49,730.63	12,415.82
Mississippi.....	1,589,803	3.2215582	10,000	29,329.35	45,437.14	61,544.93	16,107.79
Missouri.....	1,894,518	3.8390291	10,000	33,034.17	52,229.32	71,424.47	19,195.15
Montana.....	242,633	.4916687	10,000	12,950.01	15,408.35	17,866.69	2,458.34
Nebraska.....	881,362	1.7859817	10,000	20,715.89	29,645.80	38,575.71	8,929.91
Nevada.....	68,508	.1388238	10,000	10,832.94	11,527.06	12,221.18	694.12
New Hampshire..	175,473	.3555764	10,000	12,133.46	13,911.34	15,689.22	1,777.88
New Jersey.....	629,957	1.2765375	10,000	17,659.22	24,041.91	30,424.60	6,382.69
New Mexico.....	280,730	.5688682	10,000	13,413.20	16,257.54	19,101.88	2,844.34
New York.....	1,928,120	3.9071198	10,000	33,442.72	52,978.32	72,513.92	19,535.60
North Carolina...	1,887,813	3.8254422	10,000	32,952.65	52,079.86	71,207.07	19,127.21
North Dakota....	513,820	1.0411988	10,000	16,247.19	21,453.18	26,659.17	5,205.99
Ohio.....	2,101,978	4.2594237	10,000	35,556.54	56,853.66	78,150.78	21,297.12
Oklahoma.....	1,337,000	2.7092812	10,000	26,255.69	39,802.10	53,348.51	13,546.41
Oregon.....	365,705	.7410603	10,000	14,446.36	18,151.66	21,856.96	3,705.30
Pennsylvania.....	3,034,442	6.1489578	10,000	46,893.75	77,638.54	108,383.33	30,744.79
Rhode Island.	17,956	.0363858	10,000	10,218.31	10,400.24	10,582.17	181.93
South Carolina...	1,290,568	2.6151919	10,000	25,691.15	38,767.11	51,843.07	13,075.96
South Dakota....	507,215	1.0278145	10,000	16,166.89	21,305.96	26,445.03	5,139.07
Tennessee.....	1,743,744	3.5335025	10,000	31,201.01	48,868.52	66,536.03	17,667.51
Texas.....	2,958,438	5.9949442	10,000	45,969.67	75,944.39	105,919.11	29,974.72
Utah.....	200,417	.4061227	10,000	12,436.74	14,467.35	16,497.96	2,030.61
Vermont.....	187,013	.3789609	10,000	12,273.77	14,168.57	16,063.37	1,894.80
Virginia.....	1,585,083	3.2119937	10,000	29,271.96	45,331.93	61,391.90	16,059.97
Washington.....	536,460	1.0870763	10,000	16,522.46	21,957.84	27,393.22	5,435.38
West Virginia....	992,877	2.0119543	10,000	22,071.73	32,131.50	42,191.27	10,059.77
Wisconsin.....	1,329,540	2.6941643	10,000	26,164.99	39,635.81	53,106.63	13,470.82
Wyoming.....	102,744	.2081992	10,000	11,249.20	12,290.20	13,331.20	1,041.00
Total.....	49,348,883	99.9999999	480,000	1,080,000.00	1,580,000.00	2,080,000.00	500,000.00

¹ Each State must duplicate all Federal money above \$10,000 per year.

² After 1920 the allotments are to be based on the returns for rural population of the Fourteenth Census.

INSTRUCTIONS FOR EXTENSION ACCOUNTING.

[Approved by the Director of the States Relations Service Mar. 27, 1916.]

Accounts and vouchers for all funds used in extension work under the Smith-Lever Act should be regularly kept at the college in each State receiving the benefits of this act, even if the original accounts and vouchers are kept in the office of the State treasurer or other official. If the college keeps only duplicate vouchers, these should bear evidence of their payment by reference to the warrant or otherwise. Expenditures from both Federal and other funds which

are included in the account for any Federal fiscal year should be confined to those actually made in the maintenance of the extension service during that year. Separate accounts for expenditures of the Smith-Lever Federal fund and funds from within the State used to offset that fund should be kept in accordance with the provisions of the financial schedules prescribed by the Secretary of Agriculture, and should be supported by vouchers approved by the director of extension work.

From whatever source derived, funds which are used to offset Federal Smith-Lever funds will be subject to the same limitations as regards the character of the expenditures as the Federal Smith-Lever funds.

LOCAL ACCOUNTS.

Vouchers for expenditures from funds contributed to the State Smith-Lever funds by counties, local organizations, or individuals should be approved by the director of extension work, as well as by the county officer or other representative of the contributing parties, and be paid by the county or other local treasurer, who should file a certificate of payment with the director of extension work. Either the original vouchers or duplicates should be on file at the college.

VOUCHERS.

The classification in accordance with the headings prescribed by the department should be indicated on all vouchers or accompanying jackets. Every voucher should further indicate the fund from which the expenditure is made and the project or projects to which the expenditure relates.

SALARIES OR LABOR.

There should be a pay roll or an individual voucher which should indicate the period for which the salary charge is made, the annual rate of salary, general description of duties (grade or title), and should contain the personal signature of each individual paid and the indorsement of the director of extension work. Separate pay rolls and individual vouchers for labor and for salaries should be kept.

TRAVEL EXPENSES.

Vouchers for travel should give the purpose and dates for each trip and show an itemized account of all railroad and boat fares, livery, bus, and street car expenses, payments for subsistence, and miscellaneous items. The voucher should give reference to the authorization to travel and contain the personal signature of the individual paid and the indorsement of the director. There should be vouchers showing the purchase of mileage books and subvouchers showing how and when the mileage was used. Expenses for supplies and other material should not be included in travel accounts.

OTHER EXPENSES.

(Supplies and miscellaneous.)

There should be an itemized account of all supplies and miscellaneous articles purchased, and the vouchers should indicate when the goods were received and the date of payment, and should bear the signature of the payee and indorsement of the director. A detailed invoice should be filed whenever a voucher check is used.

ACCOUNTING, BY PROJECTS.

In the financial report a separate statement should be made for each project, and this should show the amounts spent from each fund used in the project.

All expenses of a person *regularly* carrying on a definite type of extension work are chargeable to the project covering that type of work and not to a project to which he may be temporarily assigned. The vouchers should be classified according to the projects as actually approved by the department.

Project—*General organization of extension work*.—This project indicates the general plan of organization and briefly outlines the projects which it is the intention to put in effect during the fiscal year and the amounts of money from each source devoted to the individual projects.

The expenditures for administration and for printing and distribution of publications should be kept separate in the accounts. "Administration" should include the salary and expenses of the director, editors, and other persons employed in the central office, but the salaries and expenses of State agents or State leaders of special lines of work and the clerical force exclusively employed in such work should be charged to the particular line of work in which they are engaged and not to administration. "Printing and distribution" will include the cost of envelopes, the salary of laborers, and other expenses connected with the mailing and distribution of the publications. Publications include all bulletins, reports, circulars, periodicals, etc., issued in furtherance of the Smith-Lever Act. Cost of gathering material, etc., for publications should be charged against the project to which the publication applies. The salary and expenses of the extension editor should be charged to "administration."

Project—*County agents*.—This should include all salaries and expenses of county agents and supervising officers.

Project—*Home economics or home demonstration work*.—Under this project should be included all expenditures for general extension work in home economics.

Project—*Movable schools and farmers' courses*.—Under this project should be included expenses for schools held in local communities, but it should not include the salaries, for example, of county agents or home economics demonstrators temporarily employed in such work. If specialists and other extension agents occasionally participate in movable schools, their salaries should be charged against the project to which they give the major portion of their time, but other expenses incident to participation in the movable schools are proper charges against this project.

Project—*Boys' club work*.—If this work is carried on through a separate State leader and district and county agents, there should be a separate account covering the expenses of such agents.

Project—*Girl's club work*.—If this work is carried on through a separate State leader and district and county agents, there should be a separate account covering the expenses of such agents.

Separate projects and accounts should be set up for each line of work requiring the time of at least one person.

CLASSIFICATION OF EXTENSION ACCOUNTS.

The scheme for classification of extension accounts, by items of expense, provides for 14 ledger headings, as follows:

- (1) *Salaries*, administrative, technical, and clerical.
- (2) *Labor*, regular and temporary, in connection with extension work.

- (3) *Printing and distribution of publications*, printing, illustration, envelopes, and personal services for mailing, etc.
- (4) *Stationery and small printing*, stationery for office and record purposes, forms, index cards, etc.
- (5) *Postage, telegraph, telephone, freight, and express*, including cartage, drayage, or other charges for handling freight.
- (6) *Heat, light, water, and power*.
- (7) *Supplies*, to include only consumable supplies of chemicals, glassware, small apparatus, and appliances.
- (8) *Library*—books, periodicals, and binding, but not including equipment or general supplies.
- (9) *Tools, machinery, and appliances*, such as agricultural implements and machines, canning outfits, trunks and cases for transporting exhibits, etc., motors, vehicles, harness, and small movable structures like animal cages, brooders, or shelters; including repairs to same.
- (10) *Furniture and fixtures* for offices and laboratories—desks, cases, typewriters, office appliances, and household equipment.
- (11) *Scientific apparatus and specimens*, including mounted insects, fungi, etc.
- (12) *Live stock*, including rental of animals of all kinds for extension work, but not their feeding and care.
- (13) *Traveling expenses* in connection with extension work.
- (14) *Contingent expenses*, to be itemized in detail.

The object has been to secure a clear and self-explanatory statement of extension expenditures, with as large a degree of uniformity as practicable. In the majority of cases the classification of individual entries is apparent, and no suggestion is needed. In the case of a considerable number of items, however, questions have arisen from time to time and considerable diversity of practice has been noted. The following list has accordingly been prepared to serve as a guide in this matter, and while in no sense complete it will often suggest the classification of other items not enumerated.

It is recognized that in several instances the classification suggested is a more or less arbitrary one, and that the items might with propriety be placed under other headings. Rarely would two persons classify an entire account exactly the same in all particulars. These suggestions will, however, enable greater uniformity and thus make the extension accounts more readily comparable when reviewed or tabulated for publication.

Adding machine.....	Furniture and Fixtures.
Addressograph or other addressing machine.....	Furniture and fixtures.
Addressograph supplies and stencils.....	Stationery and small printing.
Auditing accounts.....	Contingent expenses.
Automobile.....	Traveling expenses.
Automobile guide.....	Library.
Automobile insurance.....	Traveling expenses.
Automobile repairs.....	Traveling expenses.
Automobile robe.....	Tools, machinery, and appliances.
Awnings, window.....	Furniture and fixtures.
Balances for laboratory use.....	Scientific apparatus and specimens.
Baloptican.....	Scientific apparatus and specimens.
Bees.....	Live stock.
Blanket, for horse.....	Tools, machinery, and appliances.
Board of employees temporarily in field..	Traveling expenses.

Board of horses and other stock.....	Supplies.
Board of laborers, when part of wages.....	Labor.
Boxes.....	Tools, machinery, and appliances.
Breeding cages for insects and small animals.....	Tools, machinery, and appliances.
Brooders.....	Tools, machinery, and appliances.
Calculating and computing machines....	Furniture and fixtures.
Cameras.....	Scientific apparatus and specimens.
Canning outfits.....	Tools, machinery, and appliances.
Cans (pints and quarts).....	Supplies.
Carpets.....	Furniture and fixtures.
Carriages, wagons, and similar convey- ances.....	Tools, machinery, and appliances.
Cartage.....	Freight and express.
Cases for carrying slides.....	Tools, machinery, and appliances.
Cloth blackboard.....	Furniture and fixtures.
Cloth for garments.....	Supplies.
Coal.....	Heat, light, water, and power.
Cooker (fireless).....	Furniture and fixtures.
Cooking utensils.....	Furniture and fixtures.
Copying machines.....	Furniture and fixtures.
Cuts, halftones, etc., for illustrating pub- lications.....	Printing and distribution of publications.
Drawings for illustrations.....	Printing and distribution of publications.
Drayage.....	Freight and express.
Duplicating machine, mimeograph, etc....	Furniture and fixtures.
Egg containers.....	Supplies.
Electric light bulbs.....	Furniture and fixtures.
Electric light cord, for temporary at- tachments.....	Tools, machinery, and appliances.
Envelopes for mailing bulletins.....	Printing and distribution of publications.
Expense of sale of extension property or products.....	Contingent expenses.
Flower pots.....	Furniture and fixtures.
Folding and sealing machines.....	Tools, machinery, and appliances.
Freight on coal.....	Freight and express.
Fungi, specimens.....	Scientific apparatus and specimens.
Fungicides.....	Supplies.
Gas machine.....	Tools, machinery, and appliances.
Gas mantles and shades.....	Furniture and fixtures.
Gasoline for heating.....	Heat, light, water, and power.
Gasoline for automobiles and motorcycles..	Traveling expenses.
Groceries for demonstrations.....	Supplies.
Guide cards for filing cases.....	Stationery and small printing.
Hammer.....	Tools, machinery, and appliances.
Hardware, small sundries.....	Supplies.
Harness.....	Tools, machinery, and appliances.
Herbarium cases.....	Furniture and fixtures.
Herbarium specimens.....	Scientific apparatus and specimens.
Horse hire for work.....	Labor.
Household equipment.....	Furniture and fixtures.
Ice.....	Supplies.
Illustrations for publications.....	Printing and distribution of publications.
Incubators for hatching chickens.....	Tools, machinery, and appliances.

Insect boxes and cases.....	Furniture and fixtures.
Insecticides.....	Supplies.
Insects, mounted specimens.....	Scientific apparatus and specimens.
Interest paid on borrowed money not chargeable to Smith-Lever funds.	
Kerosene.....	Heat, light, water, and power.
Kitchen apparatus.....	Furniture and fixtures.
Laundry.....	Contingent expenses.
Lectures, paid at movable schools.....	Salaries.
Lenses for cameras or microscopes.....	Scientific apparatus and specimens.
Level and level stand.....	Scientific apparatus and specimens.
Library supplies.....	Stationery and small printing.
Linoleum.....	Furniture and fixtures.
Livery.....	Traveling expenses.
Lumber, for other than building purposes..	Supplies.
Maps, permanent.....	Library.
Medicine.....	Supplies.
Membership fee, when incurred to secure proceedings or periodical of a society..	Library.
Mileage for hauling demonstration car....	Freight and express.
Milking machine.....	Tools, machinery, and appliances.
Multigraph.....	Furniture and fixtures.
Mimeograph.....	Furniture and fixtures.
Motor.....	Tools, machinery, and appliances.
Motorcycle.....	Traveling expenses.
Neostyle, etc.....	Furniture and fixtures.
Numbering machine.....	Furniture and fixtures.
Oil, lubricating.....	Supplies.
Pencil pointer.....	Tools, machinery, and appliances.
Plain folders.....	Stationery and small printing.
Postal guides.....	Library.
Post-office box rent.....	Contingent expenses.
Photographic supplies:	
Cameras and lenses.....	Scientific apparatus and specimens.
Consumable supplies, such as films, plates, paper, developers, etc.....	Supplies.
Photographs of stock, field work, etc., when purchased in finished form.....	Supplies.
Platform scales for weighing animals, fields crops, etc.	Tools, machinery, and appliances; not furniture and fixtures, or scientific apparatus and specimens.
Platinum ware.....	Scientific apparatus and specimens.
Poultry.....	Live stock.
Poultry buildings, portable.....	Tools, machinery, and appliances.
Pressure cooker.....	Furniture and fixtures.
Presto-Lite tank.....	Tools, machinery, and appliances.
Punches, paper.....	Tools, machinery, and appliances.
Railroad guides.....	Library.
Refrigerator.....	Furniture and fixtures.
Rent.....	Contingent expenses.
Repair expense.....	Chargeable to same abstract as article repaired.
Rubber signature stamps.....	Stationery and small printing.

Scales; ordinary for weighing feed, small animals, and the like.	Tools, machinery, and appliances; not scientific apparatus and specimens.
Scissors.....	Tools, machinery, and appliances.
Sewing machines.....	Furniture and fixtures.
Shoeing horses.....	Supplies; not live stock.
Specimen jars.....	Furniture and fixtures.
Spraying apparatus.....	Tools, machinery, and appliances.
Spraying materials.....	Supplies.
Stereopticon.....	Scientific apparatus and specimens.
Sterilizing outfit for dairy.....	Tools, machinery, and appliances; not scientific apparatus and specimens.
Stoves, gasoline, etc.....	Furniture and fixtures.
Switching.....	Freight and express.
Teaming, when in nature of cartage or expressage.....	Freight and express.
Test tubes.....	Supplies.
Testing outfit.....	Scientific apparatus and specimens.
Thermos bottles.....	Furniture and fixtures.
Towels.....	Supplies.
Trunks for carrying extension exhibits, etc.	Tools, machinery, and appliances.
Typewriter.....	Furniture and fixtures.
Typewriter supplies.....	Stationery and small printing.
Vacuum cleaner.....	Furniture and fixtures.
Wagons.....	Tools, machinery, and appliances.
Washing machine.....	Furniture and fixtures.
Water register.....	Scientific apparatus and specimens.
Weed seed collections.....	Scientific apparatus and specimens.
Window screens and doors.....	Furniture and fixtures.
Wringer.....	Furniture and fixtures.

STATES RELATIONS SERVICE.

ORGANIZATION.

[Extract from the memorandum (No. 140) of the Secretary of Agriculture providing for the organization of the States Relations Service.]

In accordance with the provisions of the act of Congress of March 4, 1915, making appropriations for the Department of Agriculture, I hereby establish a States Relations Service in this department, which shall represent the Secretary of Agriculture in his relations with the State agricultural colleges and experiment stations under the acts of Congress of July 2, 1862, August 30, 1890, March 2, 1887, March 16, 1906, May 8, 1914, and acts supplementary thereto, and in carrying out the provisions of acts of Congress making appropriations to this department for farmers' cooperative demonstration work, investigations relating to agricultural schools, farmers' institutes, the relative utility and economy of agricultural products used for food, clothing, and other uses in the home, and the maintenance of agricultural experiment stations in Alaska, Hawaii, Porto Rico, and Guam, and in such other matters as the Secretary of Agriculture shall designate from time to time.

The States Relations Service shall include the following offices: (1) The office of the director of the service, which shall include those officers and employees engaged in the general work and administration of the service; (2) the Office of Experiment Stations, including the work of the service relating to agricultural experiment stations; (3) the Office of Extension Work in the South, including the farmers' cooperative demonstration work and the Smith-Lever agricultural extension work in 15 Southern States; (4) the Office of Extension Work in the North and West, including the farmers' cooperative demonstration work and the Smith-Lever agricultural extension work in 33 Northern and Western States; and (5) the Office of Home Economics, including investigations relative to foods, clothing, and household equipment and management.

The work of the service relating to agricultural instruction and to farmers' institutes and similar organizations shall be under the immediate direction of the director, and the work relating to farmers' institutes and similar organizations shall be carried on in close cooperation with the offices of extension work.

The States Relations Service will take under consideration matters relating to all the extension work carried on by the several bureaus and offices of the department and those connected with the administration of the Smith-Lever Extension Act. All plans for demonstration and extension work originating in any bureau or in any State should first be submitted to the States Relations Service, which will make recommendations regarding them to the Secretary. Approved plans for demonstration and extension work by any bureau should not be put into operation in any State until they have been brought to the attention of the Director of the States Relations Service and an opportunity has been given for arranging with the extension directors of the agricultural colleges regarding the execution of these plans in the States concerned.

This order became effective July 1, 1915.

WORK.

[Provisions in acts making appropriations for the Department of Agriculture.]

ADMINISTRATIVE.

To enable the Secretary of Agriculture to enforce the provisions of the above acts and the act approved May eighth, nineteen hundred and fourteen, entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July second, eighteen hundred and sixty-two, and of act supplementary thereto, and the United States Department of Agriculture," relative to their administration and for the administration of agricultural experiment stations in Alaska, Hawaii, Porto Rico, and the island of Guam, including the employment of clerks, assistants, and other persons in the city of Washington and elsewhere, freight and express charges, official traveling expenses, office fixtures, supplies, apparatus, telegraph and telephone service, gas, electric current, and rent outside of the District of Columbia, \$68,500; and the Secretary of Agriculture shall prescribe the form of the annual financial statement required under the above acts, ascertain whether the expenditures are in accordance with their provisions, coordinate the work of the Department of Agriculture with that of the State agricultural colleges and experiment stations in the lines authorized in said acts, and make report thereon to Congress. * * *

For general administrative expenses connected with the lines of work of the States Relations Service, including the offices of the director, the chief clerk, the officers in charge of publications, library, accounts, records, supplies, and property, and for miscellaneous expenses incident thereto, \$15,680.

In all, for general expenses, \$2,972,580.

STATIONS IN ALASKA, HAWAII, PORTO RICO, AND GUAM.

To enable the Secretary of Agriculture to establish and maintain agricultural experiment stations in Alaska, Hawaii, Porto Rico, and the island of Guam, including the erection of buildings, the preparation, illustration, and distribution of reports and bulletins, and all other necessary expenses, \$155,000, as follows: Alaska, \$60,000, of which sum \$10,000 shall be immediately available for the location, equipment, and maintenance of an agricultural experiment station in the Matanuska Valley; Hawaii, \$40,000; Porto Rico, \$40,000; and Guam, \$15,000; and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment stations in Alaska, Hawaii, Porto Rico, and the island of Guam: *Provided*, That of the sum herein appropriated for the experiment station in Hawaii \$5,000 may be used in agricultural extension work in Hawaii.

INVESTIGATIONS IN HOME ECONOMICS.

To enable the Secretary of Agriculture to investigate the relative utility and economy of agricultural products for food, clothing, and other uses in the home, with special suggestions of plans and methods for the more effective utilization of such products for these purposes, with the cooperation of other bureaus of the department, and to disseminate useful information on this subject, including the employment of labor in the city of Washington and elsewhere, supplies, and all other necessary expenses, \$35,000.

FARMERS' COOPERATIVE DEMONSTRATION WORK.

For farmers' cooperative demonstration work outside of the cotton belt, including the employment of labor in the city of Washington and elsewhere, supplies, and all other necessary expenses, \$578,240.

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For farmers' cooperative demonstrations and for the study and demonstration of the best methods of meeting the ravages of the cotton-boll weevil, including the employment of labor in the city of Washington and elsewhere, supplies, and all other necessary expenses, \$659,560: *Provided*, That the expense of such service shall be defrayed from this appropriation and such cooperative funds as may be voluntarily contributed by State, county, and municipal agencies, associations of farmers, and individual farmers, universities, colleges, boards of trade, chambers of commerce, other local associations of business men, business organizations, and individuals within the State.

FARMERS' INSTITUTES AND AGRICULTURAL INSTRUCTION.

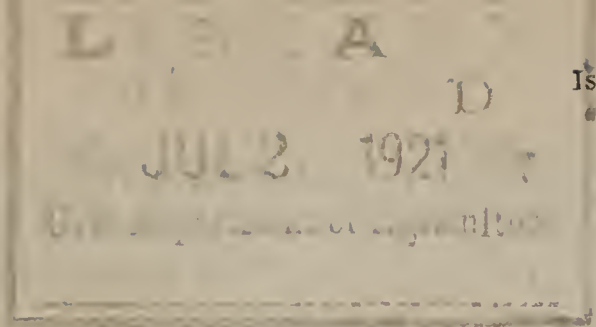
To enable the Secretary of Agriculture to investigate and report upon the organization and progress of farmers' institutes and agricultural schools in the several States and Territories, and upon similar organizations in foreign countries, with special suggestions of plans and methods for making such organizations more effective for the dissemination of the results of the work of the Department of Agriculture and the agricultural experiment stations, and of improved methods of agricultural practice, including the employment of labor in the city of Washington and elsewhere, and all other necessary expenses, \$20,600.

CARD INDEX OF STATION LITERATURE.

And the Secretary of Agriculture hereafter may furnish to such institutions or individuals as may care to buy them copies of the card index of agricultural literature prepared by the Department of Agriculture in connection with its administration of the acts of March second, eighteen hundred and eighty-seven (Twenty-fourth Statutes at Large, page four hundred and forty), and the act of March sixteenth, nineteen hundred and six (Thirty-fourth Statutes at Large, page sixty-three), and the acts amendatory of and supplementary thereto, and charge for the same a price covering the additional expenses involved in the preparation of these copies, the money received from such sales to be deposited in the Treasury of the United States as miscellaneous receipts (38 Stat. L., 1086, 1109).

ANNUAL REPORT ON WORK AND EXPENDITURES UNDER THE HATCH, ADAMS, AND SMITH-LEVER ACTS.

That hereafter there be prepared by the Department of Agriculture an annual report on the work and expenditures of the agricultural experiment stations established under the act of Congress of March second, eighteen hundred and eighty-seven (Twenty-fourth Statutes at Large, page four hundred and forty), on the work and expenditures of the Department of Agriculture in connection therewith, and on the cooperative agricultural extension work and expenditures of the Department of Agriculture and of agricultural colleges under the act of May eighth, nineteen hundred and fourteen, entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July second, eighteen hundred and sixty-two, and of acts supplementary thereto, and the United States Department of Agriculture"; and that there be printed annually eight thousand copies of said report, of which one thousand copies shall be for the use of the Senate, two thousand copies for the use of the House of Representatives, and five thousand copies for the use of the Department of Agriculture (38 Stat. L., 1086, 1110).



United States Department of Agriculture.

STATES RELATIONS SERVICE.

A. C. TRUE, DIRECTOR.

FEDERAL LEGISLATION, REGULATIONS, AND RULINGS AFFECTING AGRICULTURAL COLLEGES AND EXPERIMENT STATIONS.

[Revised to Sept. 15, 1919.]

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AGRICULTURAL COLLEGES.

ACT OF 1862 DONATING LANDS FOR AGRICULTURAL COLLEGES.

[First Morrill Act.]

AN ACT Donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be granted to the several States, for the purposes hereinafter mentioned, an amount of public land, to be apportioned to each State a quantity equal to thirty thousand acres for each

Senator and Representative in Congress to which the States are respectively entitled by the apportionment under the census of eighteen hundred and sixty: *Provided*, That no mineral lands shall be selected or purchased under the provisions of this act.

SEC 2. *And be it further enacted*, That the land aforesaid, after being surveyed shall be apportioned to the several States in sections or subdivisions of sections, not less than one-quarter of a section; and whenever there are public lands in a State subject to sale at private entry at one dollar and twenty-five cents per acre, the quantity to which said State shall be entitled shall be selected from such lands within the limits of such State, and the Secretary of the Interior is hereby directed to issue to each of the States in which there is not the quantity of public lands subject to sale at private entry at one dollar and twenty-five cents per acre to which said State may be entitled under the provisions of this act land scrip to the amount in acres for the deficiency of its distributive share; said scrip to be sold by said States and the proceeds thereof applied to the uses and purposes prescribed in this act and for no other use or purpose whatsoever: *Provided*, That in no case shall any State to which land scrip may thus be issued be allowed to locate the same within the limits of any other State or of any Territory of the United States, but their assignees may thus locate said land scrip upon any of the unappropriated lands of the United States subject to sale at private entry at one dollar and twenty-five cents, or less, per acre: *And provided further*, That not more than one million acres shall be located by such assignees in any one of the States: *And provided further*, That no such location shall be made before one year from the passage of this act.

SEC. 3. *And be it further enacted*, That all the expenses of management, superintendence, and taxes from date of selection of said lands, previous to their sales, and all expenses incurred in the management and disbursement of the moneys which may be received therefrom, shall be paid by the States to which they may belong, out of the treasury of said States, so that the entire proceeds of the sale of said lands shall be applied without any diminution whatever to the purposes hereinafter mentioned.

SEC. 4 (original). *And be it further enacted*, That all moneys derived from the sale of the lands aforesaid by the States to which the lands are apportioned, and from the sales of land scrip hereinbefore provided for, shall be invested in stocks of the United States or of the States, or some other safe stocks, yielding not less than five per centum upon the par value of said stocks; and that the moneys so invested shall constitute a perpetual fund, the capital of which shall remain forever undiminished (except so far as may be provided in section five of this act), and the interest of which shall be inviolably appropriated by each State which may take and claim the benefit of this act, to the endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

SEC. 4 (as amended Mar. 3, 1883). That all moneys derived from the sale of lands aforesaid by the States to which lands are apportioned, and from the sales of land scrip hereinbefore provided for, shall be invested in stocks of the United States or of the States, or some other safe stocks; or the same may be invested by the States having no State stocks in any other manner after the legislatures of such States shall have assented thereto, and engaged that such funds shall

yield not less than five per centum upon the amount so invested and that the principal thereof shall forever remain unimpaired: *Provided*, That the moneys so invested or loaned shall constitute a perpetual fund, the capital of which shall remain forever undiminished (except so far as may be provided in section five of this act), and the interest of which shall be inviolably appropriated, by each State which may take and claim the benefit of this act, to the endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

SEC. 5. *And be it further enacted*, That the grant of land and land scrip hereby authorized shall be made on the following conditions, to which, as well as to the provisions hereinbefore contained, the previous assent of the several States shall be signified by legislative acts:

First. If any portion of the fund invested, as provided by the foregoing section, or any portion of the interest thereon, shall, by any action or contingency, be diminished or lost, it shall be replaced by the State to which it belongs, so that the capital of the fund shall remain forever undiminished; and the annual interest shall be regularly applied without diminution to the purposes mentioned in the fourth section of this act, except that a sum, not exceeding ten per centum upon the amount received by any State under the provisions of this act, may be expended for the purchase of lands for sites or experimental farms whenever authorized by the respective legislatures and States.

Second. No portion of said fund, nor the interest thereon, shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings.

Third. Any State which may take and claim the benefit of the provisions of this act shall provide, within five years, at least not less than one college, as described in the fourth section of this act, or the grant to such State shall cease; and said State shall be bound to pay the United States the amount received of any lands previously sold and that the title to purchasers under the State shall be valid.

Fourth. An annual report shall be made regarding the progress of each college, recording any improvements and experiments made, with their cost and results, and such other matters, including State industrial and economical statistics, as may be supposed useful, one copy of which shall be transmitted by mail free, by each, to all the other colleges which may be endowed under the provisions of this act, and also one copy to the Secretary of the Interior.

Fifth. When lands shall be selected from those which have been raised to double the minimum price, in consequence of railroad grants, they shall be computed to the States at the maximum price and the number of acres proportionately diminished.

Sixth. No State while in a condition of rebellion or insurrection against the Government of the United States shall be entitled to the benefit of this act.

Seventh. No State shall be entitled to the benefits of this act unless it shall express its acceptance thereof by its legislature within two years from the date of its approval by the President.

SEC. 6. *And be it further enacted*, That land scrip issued under the provisions of this act shall not be subject to location until after the first day of January, one thousand eight hundred and sixty-three.

SEC. 7. *And be it further enacted*, That the land officers shall receive the same fees for locating land scrip issued under the provisions of this act as is now

allowed for the location of military bounty land warrants under existing laws: *Provided*, That their maximum compensation shall not be thereby increased.

SEC. 8. *And be it further enacted*, That the governors of the several States to which scrip shall be issued under this act shall be required to report annually to Congress all sales made of such scrip until the whole shall be disposed of, the amount received for the same, and what appropriation has been made of the proceeds.

Approved, July 2, 1862 (12 Stat. L., 503).

ACT OF 1866 EXTENDING THE TIME WITHIN WHICH AGRICULTURAL COLLEGES MAY BE ESTABLISHED.

AN ACT To amend the fifth section of an act entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2, 1862, so as to extend the time within which the provisions of said act shall be accepted and such colleges established.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time in which the several States may comply with the provisions of the act of July second, eighteen hundred and sixty-two, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," is hereby extended so that the acceptance of the benefits of the said act may be expressed within three years from the passage of this act, and the colleges required by the said act may be provided within five years from the date of the filing of such acceptance with the Commissioner of the General Land Office: *Provided*, That when any Territory shall become a State and be admitted into the Union such new State shall be entitled to the benefits of the said act of July second, eighteen hundred and sixty-two, by expressing the acceptance therein required within three years from the date of its admission into the Union, and providing the college or colleges within five years after such acceptance, as prescribed in this act: *Provided further*, That any State which has heretofore expressed its acceptance of the act herein referred to shall have the period of five years within which to provide at least one college, as described in the fourth section of said act, after the time for providing said college, according to the act of July second, eighteen hundred and sixty-two, shall have expired.

Approved, July 23, 1866 (14 Stat. L., 208).

ACT OF 1890 FOR THE FURTHER ENDOWMENT OF AGRICULTURAL COLLEGES.

[Second Morrill Act.]

AN ACT To apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July second, eighteen hundred and sixty-two.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, arising from the sales of public lands, to be paid as hereinafter provided, to each State and Territory for the more complete endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts now established, or which may be hereafter established, in accordance with an act of Congress approved July second, eighteen hundred and sixty-two, the sum

of fifteen thousand dollars for the year ending June thirtieth, eighteen hundred and ninety, and an annual increase of the amount of such appropriation thereafter for ten years by an additional sum of one thousand dollars over the preceding year, and the annual amount to be paid thereafter to each State and Territory shall be twenty-five thousand dollars, to be applied only to instruction in agriculture, the mechanic arts, the English language and the various branches of mathematical, physical, natural, and economic science, with special reference to their applications in the industries of life and to the facilities for such instruction: *Provided*, That no money shall be paid out under this act to any State or Territory for the support and maintenance of a college where a distinction of race or color is made in the admission of students, but the establishment and maintenance of such colleges separately for white and colored students shall be held to be a compliance with the provisions of this act if the funds received in such State or Territory be equitably divided as hereinafter set forth: *Provided*, That in any State in which there has been one college established in pursuance of the act of July second, eighteen hundred and sixty-two, and also in which an educational institution of like character has been established, or may be hereafter established, and is now aided by such State from its own revenue, for the education of colored students in agriculture and the mechanic arts, however named or styled, or whether or not it has received money heretofore under the act to which this act is an amendment, the legislature of such State may propose and report to the Secretary of the Interior a just and equitable division of the fund to be received under this act, between one college for white students and one institution for colored students, established as aforesaid, which shall be divided into two parts, and paid accordingly, and thereupon such institution for colored students shall be entitled to the benefits of this act and subject to its provisions, as much as it would have been if it had been included under the act of eighteen hundred and sixty-two, and the fulfillment of the foregoing provisions shall be taken as a compliance with the provision in reference to separate colleges for white and colored students.

SEC 2. That the sums hereby appropriated to the States and Territories for the further endowment and support of colleges shall be annually paid on or before the thirty-first day of July of each year, by the Secretary of the Treasury, upon the warrant of the Secretary of the Interior, out of the Treasury of the United States, to the State or Territorial treasurer, or to such other officer as shall be designated by the laws of such State or Territory to receive the same, who shall upon the order of the trustees of the college or the institution for colored students, immediately pay over said sums to the treasurers of the respective colleges or other institutions entitled to receive the same, and such treasurers shall be required to report to the Secretary of Agriculture and to the Secretary of the Interior on or before the first day of September of each year a detailed statement of the amount so received and of its disbursement. The grants of moneys authorized by this act are made subject to the legislative assent of the several States and Territories to the purpose of said grants: *Provided*, That payments of such installments of the appropriation herein made as shall become due to any State before the adjournment of the regular session of legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof, duly certified to the Secretary of the Treasury.

SEC. 3. That if any portion of the moneys received by the designated officer of the State or Territory for the further and more complete endowment, support, and maintenance of colleges, or of institutions for colored students,

as provided in this act, shall, by any action or contingency, be dismissed or lost, or be misapplied, it shall be replaced by the State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory; and no portion of said moneys shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings. An annual report by the president of each of said colleges shall be made to the Secretary of Agriculture, as well as to the Secretary of the Interior, regarding the condition and progress of each college, including statistical information in relation to its receipts and expenditures, its library, the number of its students and professors, and also as to any improvements and experiments made under the direction of any experiment stations attached to said colleges, with their cost and results and such other industrial and economical statistics as may be regarded as useful, one copy of which shall be transmitted by mail free to all other colleges further endowed under this act.

SEC. 4. That on or before the first day of July in each year, after the passage of this act, the Secretary of the Interior shall ascertain and certify to the Secretary of the Treasury as to each State and Territory, whether it is entitled to receive its share of the annual appropriation for colleges, or of institutions for colored students, under this act and the amount which thereupon each is entitled, respectively, to receive. If the Secretary of the Interior shall withhold a certificate from any State or Territory of its appropriation, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the close of the next Congress, in order that the State or Territory may, if it should so desire, appeal to Congress from the determination of the Secretary of the Interior. If the next Congress shall not direct such sum to be paid it shall be covered into the Treasury. And the Secretary of the Interior is hereby charged with the proper administration of this law.

SEC. 5. That the Secretary of the Interior shall annually report to Congress the disbursements which have been made in all the States and Territories, and also whether the appropriation of any State or Territory has been withheld, and, if so, the reasons therefor.

SEC. 6. Congress may at any time amend, suspend, or repeal any or all of the provisions of this act.

Approved, August 30, 1890 (26 Stat. L., 417).

PROVISIONS OF ACT MAKING APPROPRIATIONS FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE FISCAL YEAR ENDING JUNE 30, 1908, FOR THE FURTHER ENDOWMENT OF AGRICULTURAL COLLEGES.

[Nelson amendment.]

* * * That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, to be paid as hereinafter provided, to each State and Territory for the more complete endowment and maintenance of agricultural colleges now established, or which may hereafter be established, in accordance with the act of Congress approved July second, eighteen hundred and sixty-two, and the act of Congress approved August thirtieth, eighteen hundred and ninety, the sum of five thousand dollars, in addition to the sums named in the said act, for the fiscal year ending June thirtieth, nineteen hundred and eight, and an annual increase of the amount of such appropriation thereafter for four years by an additional sum

of five thousand dollars over the preceding year, and the annual sum to be paid thereafter to each State and Territory shall be fifty thousand dollars, to be applied only for the purposes of the agricultural colleges as defined and limited in the act of Congress approved July second, eighteen hundred and sixty-two, and the act of Congress approved August thirtieth, eighteen hundred and ninety.

That the sum hereby appropriated to the States and Territories for the further endowment and support of the colleges shall be paid by, to, and in the manner prescribed by the act of Congress approved August thirtieth, eighteen hundred and ninety, entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July second, eighteen hundred and sixty-two," and the expenditure of the said money shall be governed in all respects by the provisions of the said act of Congress approved July second, eighteen hundred and sixty-two, and the said act of Congress approved August thirtieth, eighteen hundred and ninety: *Provided*, That said colleges may use a portion of this money for providing courses for the special preparation of instructors for teaching the elements of agriculture and the mechanic arts.

Approved, March 4, 1907 (34 Stat. L., 1256, 1281).

MILITARY TRAINING AT THE LAND-GRANT COLLEGES.

[Extract from an act for making further and more effectual provision for the national defense, and for other purposes.]

SEC. 40. THE RESERVE OFFICERS' TRAINING CORPS.—The President is hereby authorized to establish and maintain in civil educational institutions a Reserve Officers' Training Corps, which shall consist of a senior division organized at universities and colleges requiring four years of collegiate study for a degree, including State universities and those State institutions that are required to provide instruction in military tactics under the provisions of the act of Congress of July second, eighteen hundred and sixty-two, donating lands for the establishment of colleges where the leading object shall be practical instruction in agriculture and the mechanic arts, including military tactics, and a junior division organized at all other public or private educational institutions, except that units of the senior division may be organized at those essentially military schools which do not confer an academic degree but which, as a result of the annual inspection of such institutions by the War Department, are specially designated by the Secretary of War as qualified for units of the senior division, and each division shall consist of units of the several arms or corps in such number and of such strength as the President may prescribe.

SEC. 41. The President may, upon the application of any State institution described in section forty of this act, establish and maintain at such institution one or more units of the Reserve Officers' Training Corps: *Provided*, That no such unit shall be established or maintained at any such institution until an officer of the Army shall have been detailed as professor of military science and tactics, nor until such institution shall maintain under military instruction at least one hundred physically fit male students.

SEC. 42. The President may, upon the application of any established educational institution in the United States other than a State institution described in section forty of this act, the authorities of which agree to establish and maintain a two years' elective or compulsory course of military training as a minimum for its physically fit male students, which course when entered upon

by any student shall, as regards such student, be a prerequisite for graduation, establish and maintain at such institution one or more units of the Reserve Officers' Training Corps: *Provided*, That no such unit shall be established or maintained at any such institution until an officer of the Army shall have been detailed as professor of military science and tactics, nor until such institution shall maintain under military instruction at least one hundred physically fit male students.

SEC. 43. The Secretary of War is hereby authorized to prescribe standard courses of theoretical and practical military training for units of the Reserve Officers' Training Corps, and no unit of the senior division shall be organized or maintained at any educational institution the authorities of which fail or neglect to adopt into their curriculum the prescribed courses of military training for the senior division or to devote at least an average of three hours per week per academic year to such military training; and no unit of the junior division shall be organized or maintained at any educational institution the authorities of which fail or neglect to adopt into their curriculum the prescribed courses of military training for the junior division, or to devote at least an average of three hours per week per academic year to such military training.

SEC. 44. Eligibility to membership in the Reserve Officers' Training Corps shall be limited to students of institutions in which units of such corps may be established who are citizens of the United States, who are not less than fourteen years of age, and whose bodily condition indicates that they are physically fit to perform military duty, or will be so upon arrival at military age.

SEC. 45. The President is hereby authorized to detail such numbers of officers of the Army, either active or retired, not above the grade of colonel, as may be necessary, for duty as professors and assistant professors of military science and tactics at institutions where one or more units of the Reserve Officers' Training Corps are maintained; but the total number of active officers so detailed at educational institutions shall not exceed three hundred, and no active officer shall be so detailed who has not had five years' commissioned service in the Army. In time of peace retired officers shall not be detailed under the provisions of this section without their consent. Retired officers below the grade of lieutenant colonel so detailed shall receive the full pay and allowances of their grade, and retired officers above the grade of major so detailed shall receive the same pay and allowances as a retired major would receive under a like detail. No detail of officers on the active list of the Regular Army under the provisions of this section shall extend for more than four years.

SEC. 46. The President is hereby authorized to detail for duty at institutions where one or more units of the Reserve Officers' Training Corps are maintained such number of enlisted men, either active or retired or of the Regular Army Reserve, as he may deem necessary, but the number of active noncommissioned officers so detailed shall not exceed five hundred, and all active noncommissioned officers so detailed shall be additional in their respective grades to those otherwise authorized for the Army. Retired enlisted men or members of the Regular Army Reserve shall not be detailed under the provisions of this section without their consent. While so detailed they shall receive active pay and allowances.

SEC. 47. The Secretary of War, under such regulations as he may prescribe, is hereby authorized to issue to institutions at which one or more units of the Reserve Officers' Training Corps are maintained such public animals, arms, uniforms, equipment, and means of transportation as he may deem necessary, and to forage at the expense of the United States public animals so issued. He shall require from each institution to which property of the United States is issued a bond in the value of the property issued for the care and safe-keeping thereof, and for its return when required.

SEC. 48. The Secretary of War is hereby authorized to maintain camps for the further practical instruction of the members of the Reserve Officers' Training Corps, no such camps to be maintained for a period longer than six weeks in any one year, except in time of actual or threatened hostilities; to transport members of such corps to and from such camps at the expense of the United States so far as appropriations will permit; to subsist them at the expense of the United States while traveling to and from such camps and while remaining therein so far as appropriations will permit; to use the Regular Army, such other military forces as Congress from time to time authorizes, and such Government property as he may deem necessary for the military training of the members of such corps while in attendance at such camps; to prescribe regulations for the government of such corps; and to authorize, in his discretion, the formation of company units thereof into battalion and regimental units.

SEC. 49. The President alone, under such regulations as he may prescribe, is hereby authorized to appoint in the Officers' Reserve Corps any graduate of the senior division of the Reserve Officers' Training Corps who shall have satisfactorily completed the further training provided for in section fifty of this act, or any graduate of the junior division who shall have satisfactorily completed the courses of military training prescribed for the senior division and the further training provided for in section fifty of this act, and shall have participated in such practical instruction subsequent to graduation as the Secretary of War shall prescribe, who shall have arrived at the age of twenty-one years and who shall agree, under oath in writing, to serve the United States in the capacity of a reserve officer of the Army during a period of at least ten years from the date of his appointment as such reserve officer, unless sooner discharged by proper authority; but the total number of reserve officers so appointed shall not exceed fifty thousand: *Provided*, That any graduate qualified under the provisions of this section undergoing a postgraduate course at any institution shall not be eligible for appointment as a reserve officer while undergoing such postgraduate course, but his ultimate eligibility upon completion of such postgraduate course for such appointment shall not be affected because of his having undergone such postgraduate course.

SEC. 50. When any member of the senior division of the Reserve Officers' Training Corps has completed two academic years of service in that division, and has been selected for further training by the president of the institution and by its professor of military science and tactics, and has agreed in writing to continue in the Reserve Officers' Training Corps for the remainder of his course in the institution, devoting five hours per week to the military training prescribed by the Secretary of War, and has agreed in writing to pursue the courses in camp training prescribed by the Secretary of War, he may be furnished, at the expense of the United States, with commutation of subsistence at such rate, not exceeding the cost of the garrison ration prescribed for the Army, as may be fixed by the Secretary of War, during the remainder of his service in the Reserve Officers' Training Corps.

SEC. 51. Any physically fit male citizen of the United States, between the ages of twenty-one and twenty-seven years, who shall have graduated prior to the date of this act from any educational institution at which an officer of the Army was detailed as professor of military science and tactics, and who, while a student at such institution, completed courses of military training under the direction of such professor of military science and tactics substantially equivalent to those prescribed pursuant to this act for the senior division, shall, after satisfactorily completing such additional practical military training

as the Secretary of War shall prescribe, be eligible for appointment to the Officers' Reserve Corps and as a temporary additional second lieutenant in accordance with the terms of this act.

SEC. 52. The President alone is hereby authorized to appoint and commission as a temporary second lieutenant of the Regular Army in time of peace for purposes of instruction, for a period not exceeding six months, with the allowances now provided by law for that grade, but with pay at the rate of \$100 per month, any reserve officer appointed pursuant to sections forty-nine and fifty-one of this act and to attach him to a unit of the Regular Army for duty and training during the period covered by his appointment as such temporary second lieutenant, and upon the expiration of such service with the Regular Army such officer shall revert to his status as a reserve officer.

SEC. 53. No reserve officer or temporary second lieutenant appointed pursuant to this act shall be entitled to retirement or to retired pay and shall be eligible for pension only for disability incurred in line of duty in active service or while serving with the Regular Army pursuant to the provisions of this act: *Provided*, That in time of war the President may order reserve officers appointed under the provisions of this act to active duty with any of the military forces of the United States in any grades not below that of second lieutenant, and while on such active duty they shall be subject to the Rules and Articles of War: *And provided further*, That the Adjutant General of the Army shall, under the direction and supervision of the Secretary of War, obtain, compile, and keep continually up to date all obtainable information as to the names, ages, addresses, occupations, and qualifications for appointment as commissioned officers of the Army, in time of war or other emergency, of men of suitable ages who, by reason of having received military training in civilian educational institutions or elsewhere, may be regarded as qualified and available for appointment as such commissioned officers.

Approved, June 3, 1916.

RULINGS OF THE WAR DEPARTMENT AFFECTING MILITARY TRAINING AT THE LAND-GRANT COLLEGES.

Regulations and instructions of the War Department governing the establishment, administration, and maintenance of the Reserve Officers' Training Corps at educational institutions (including the land-grant colleges) and the issue of Government property thereto are given in detail in War Department General Orders, No. 49, issued September 20, 1916.

The regulations and instructions governing the annual military inspection and classification of such institutions are as follows:¹

Institutions to which officers of the Army are detailed under the provisions of section 1225, Revised Statutes of the United States, of the acts of Congress amendatory thereof, and of the act of June 3, 1916, and other institutions affording military instruction under section 56, act of June 3, 1916, will be divided into classes as follows:

Class M C.—Colleges and universities (including land-grant institutions) where the curriculum is sufficiently advanced to carry with it a degree, where the students are habitually in uniform, where the average age of the students on graduation is not less than 21 years, where military discipline is constantly maintained, and where one of the leading objects is the development of the student by means of military drill and by regulating his daily conduct according to the principles of military discipline.

¹ War Department, Compilation of Orders, Changes No. 1. Mar. 12, 1917.

Class M.—Essentially military institutions where the curriculum is not sufficiently advanced to carry with it a degree or where the average age of the students on graduation is less than 21 years.

Class C.—Colleges and universities (including land-grant institutions) not essentially military, where the curriculum is sufficiently advanced to carry with it a degree and where the average age of the students on graduation is not less than 21 years.

Class S M.—Institutions not included in any of the classes mentioned above.

The institutions of classes M C and C, not exceeding 15 in any year, whose students have exhibited the greatest degree of military training as compared with others of their class, and whose graduates of that year are by reason of discipline, education, and military training best qualified for commissions in the Army, will be designated, in addition to above classification, as "Distinguished colleges," and the year or years in which distinguished will be added.

The institutions of class M, not exceeding 10 of the whole number in that class, whose students display the greatest degree of military training and instruction, will be designated as "Honor schools," and the year or years in which so designated will be added.

The military departments of all educational institutions at which officers of the Army are detailed as professors of military science and tactics and of schools and colleges having a course of military training prescribed by the Secretary of War, pursuant to section 56, act of June 3, 1916, will be subject to inspection, under the authority of the President of the United States. Stated inspections will begin about April 1 and be completed by June 1 in each year.

These inspections for all institutions located in each territorial department will be made by a board of officers detailed for that purpose by the department commander. Each inspecting officer will pursue an itinerary to be prescribed each year by the department commander. In addition to the above, department commanders whenever practicable will, in person, make at least once annually an inspection of all units of the Reserve Officers' Training Corps within their departments and will exert every effort to secure the greatest possible uniformity in methods and standards and the highest possible efficiency in the military instruction.

The inspection officer, upon his arrival at any institution, will call upon the chief administrative officer present in order to obtain from him the necessary facilities for the performance of his duties.

The board will reconvene at department headquarters not later than June 10 in each year, and after comparing individual reports of their inspections will recommend the classification of institutions and those to be designated as "Distinguished colleges" and "Honor schools," and will make such further recommendations as may be deemed necessary (1) to insure a proper compliance with the provisions of the War Department orders governing military instruction in educational institutions, and (2) to improve the methods and character of such instruction. The board will also make special mention of such institutions as may have shown during the year gratifying improvement in their military departments. The report of this board, accompanied by the inspector's report on each institution, will be forwarded by the department commander, with such remarks and recommendations as he may include, to The Adjutant General of the Army not later than June 20 in each year. After careful consideration of these reports The Adjutant General will prepare and submit to the Chief of Staff, not later than June 30 in each year, lists, based upon the reports received, of institutions to be designated as "Distinguished colleges" and "Honor schools," and will recommend such other action relative to the conditions reported and recommendations received as may be desirable.

A copy of the report of inspection will be furnished to the president of the institution by the department commander.

Hereafter no institution shall be designated as a "Distinguished college" or an "Honor school" unless it maintains one or more units of the Reserve Officers' Training Corps. Each year that an institution is designated as "Distinguished college" or "Honor school" one member of its graduating class, to be selected by the president and the professor of military science and tactics, acting jointly, will, upon graduation, be rated as honor graduate. By the term "honor graduate" is understood a graduate whose attainments in scholarship have been so marked as to receive the approbation of the president of the school or college and whose proficiency in military training and knowledge and intelligent atten-

tion to duty have merited the approbation of the professor of military science and tactics. The honor graduate must be a citizen of the United States, unmarried, of exemplary habits, and of good moral character. The honor graduate of a "Distinguished college" must, in addition, be not less than 21 nor more than 27 years of age.

The name of the honor graduate should be reported to the War Department as soon as practicable after graduation.

The President of the United States authorizes the announcement that an appointment as provisional second lieutenant in the Regular Army will be awarded annually to an honor graduate of each of the institutions designated as "Distinguished colleges" under the provisions of section 24, act of June 3, 1916, and subparagraph 6, paragraph 130, provided sufficient vacancies exist after the appointment of certain classes of appointees who are given precedence under the law. These are (1) graduates of the United States Military Academy, (2) enlisted men of the Regular Army qualified after competitive examination; except that as to the vacancies created by the act of June 3, 1916, the order of precedence is as follows: (1) As above, (2) as above, but including officers of the Philippine Scouts, (3) members of the Officers' Reserve Corps, (4) commissioned officers of the National Guard, (5) appointees hereunder.

The honor graduate of the "Distinguished college" must have graduated from that institution in a year in which it was rated as "Distinguished college." He will not be required to take any mental examination, but will be examined physically. If he is a member of the Officers' Reserve Corps and desires to compete for precedence in class (3) above, he will be required to take the mental examination in those subjects prescribed for graduates of recognized colleges.

Beginning with the class of 1916 and continuing until the vacancies created by the act of June 3, 1916, have been filled, the number of appointments of honor graduates authorized for each "Distinguished college" will be increased to 10 from each graduating class.

CLAUSE IN ACT PROVIDING FOR THE PRINTING, BINDING, AND DISTRIBUTION OF PUBLIC DOCUMENTS, CONSTITUTING THE LAND-GRANT COLLEGES DEPOSITORIES.

All land-grant colleges shall be constituted as depositories for public documents, subject to the provisions and limitations of the depository laws.

Approved, March 1, 1907 (34 Stat. L., 1012, 1014).

RULINGS OF THE UNITED STATES BUREAU OF EDUCATION RELATIVE TO LAND-GRANT COLLEGES.¹

EXPENDITURE OF ANNUAL APPROPRIATION.

The funds annually appropriated by the act of August 30, 1890, must be expended during the year for which they are appropriated and for the purposes specified in the said act, and can not be allowed to accumulate in the form of an unexpended balance or be invested as a permanent interest-bearing fund (decision of the Assistant Attorney General, June 20, 1899). The department will insist on the expenditure annually of substantially the entire amount appropriated by the act of August 30, 1890, and the act of March 4, 1907, and boards of control of agricultural and mechanical colleges are requested to make provision for such expenditures. It is understood, of course, that contracts may be entered into for machinery or other educational material which, for good reasons, may not be ready and paid for until the following year. In such cases it is sufficient to explain, by a note in the report, that the

¹ For fuller information see Federal Laws, Regulations, and Rulings Affecting the Land-Grant Colleges of Agriculture and Mechanic Arts. U. S. Bureau of Education, 1911.

balance is held for the purpose of liquidating bills already incurred, and stating the nature of the outstanding contracts.

USES OF FUNDS DEFINED.

The funds are "to be applied only to instruction in agriculture, the mechanic arts, the English language, and the various branches of mathematical, physical, natural and economic science, with special reference to their applications in the industries of life, and to the facilities for such instruction" and "for providing courses for the special preparation of instructors for teaching the elements of agriculture and mechanic arts." It is held that this language authorizes the purchase with this money of apparatus, machinery, textbooks, reference books, stock, and material used in instruction, or for the purposes of illustration in connection with any of the branches enumerated, and the payment of salaries of instructors in said branches only; but, in case of machinery (such as boilers, engines, pumps, etc.) and farm stock, which are made to serve for both instructional and other purposes, the Federal funds may be charged with only an equitable portion of the cost of said machinery and stock.

BUILDINGS.

The expenditure of any portion of these funds for the purchase, erection, preservation, or repair of any building or buildings under any pretense whatever is specifically prohibited by the act (sec. 3); the purchase of land is not allowable (decision of Assistant Attorney General, Mar., 1891), nor expenditures for permanent improvement to buildings, grounds, and farms, such as clearing, draining, and fencing of land.

SALARIES OF ADMINISTRATIVE OFFICERS.

The salaries of purely administrative officers, such as treasurers (decision of Assistant Attorney General, Mar. 7, 1894), presidents, secretaries, bookkeepers, janitors, watchmen, etc., can not be charged to this fund, nor the salaries of other administrative officers, like superintendents, foremen, and matrons, and the wages of unskilled laborers and assistants in shops, laboratories, and fields; nor can it be expended for heating or lighting buildings, musical instruments, military equipment, furniture, cases, shelving, desks, blackboards, tables, lockers, salaries of instructors in philosophy, psychology, ethics, logic, history, political science, civics, pedagogy, military science and tactics, and in ancient and modern language (except English). When an administrative officer also gives instruction in any of the branches of study mentioned in the act of August 30, 1890, or when an instructor gives such instruction and also devotes part of his time to giving instruction in branches of study not mentioned in the said act, only a part of such person's salary proportionate to the time devoted to giving instruction in the branches of study mentioned in the said act of August 30, 1890, can be charged to these funds. In the division of time between instructional and other services, one hour of instruction shall be regarded as the equivalent of two hours of administrative, supervisory, or experiment station work.

EXTENSION WORK.

No part of the funds received under the provisions of the acts of 1890 and 1907 may be used for any form of extension work, and all instruction must be given at the institutions receiving these funds, except that a reasonable portion of the funds provided by the act of 1907 may be used for the instruction of teachers

in agriculture, mechanic arts, and domestic science at summer schools, teachers' institutes, and by correspondence, and in supervising and directing work in these subjects in high schools.

TRAINING OF TEACHERS.

All or a part of the funds provided by the act of March 4, 1907, may be used "for providing courses for the special preparation of instructors for teaching the elements of agriculture and mechanic arts." It is held that this language authorizes expenditures for instruction in the history of agriculture and industrial education, in methods of teaching agriculture, mechanic arts, and home economics, and also for special aid and supervision given to teachers actively engaged in teaching agriculture, mechanic arts, and home economics in public schools. It does not authorize expenditures for general courses in pedagogy, psychology, history of education, and methods of teaching.

REGULATIONS OF THE POST OFFICE DEPARTMENT CONCERNING FREE TRANSMISSION OF AGRICULTURAL COLLEGE PUBLICATIONS.

Section 502 of the Postal Laws and Regulations (1913) of the United States relating to the free transmission of reports of agricultural colleges reads as follows:

SEC. 502. One copy of each of the annual reports required by law to be made to the Secretary of the Interior and the Secretary of Agriculture, by such colleges as are or may hereafter be established for the benefit of agriculture and the mechanic arts in the several States and Territories under the provisions of the act of July 2, 1862, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," and the acts amendatory thereof * * * shall be transmitted by mail free, by each, to all the other colleges which may be endowed under the provisions of this act (of July 2, 1862), and also one copy to the Secretary of the Interior and the Secretary of Agriculture.

2. Postmasters at offices where colleges are established under the provisions of the act of July 2, 1862, shall receive from the officers thereof the reports referred to addressed, one copy each, to such other colleges and to the Secretary of the Interior and the Secretary of Agriculture, and affix to each a penalty label or official envelope of the post office, and forward the same free.

CERTIFICATION OF INDIAN SCHOOL OR AGENCY FARMERS BY AGRICULTURAL COLLEGES.

A provision in the act (Public 390, 64th Cong., approved Mar. 2, 1917) making appropriations for the Bureau of Indian Affairs requires that every farmer or expert farmer hereafter appointed for an Indian school or agency farm whose salary is to be \$50 or more per month shall have "a certificate of competency showing that he is a farmer of actual experience and qualified to instruct others in the art of practical agriculture" from "the president or dean of the State agricultural college of the State in which his services are to be rendered, or by the president or dean of the State agricultural college of an adjoining State."

VOCATIONAL EDUCATION.

AN ACT To provide for the promotion of vocational education ; to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries ; to provide for cooperation with the States in the preparation of teachers of vocational subjects ; and to appropriate money and regulate its expenditure.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby annually appropriated, out of any money in the Treasury not otherwise appropriated, the sums provided in sections two, three, and four of this act, to be paid to the respective States for the purpose of cooperating with the States in paying the salaries of teachers, supervisors, and directors of agricultural subjects, and teachers of trade, home economics, and industrial subjects, and in the preparation of teachers of agricultural, trade, industrial, and home economics subjects ; and the sum provided for in section seven for the use of the Federal Board for Vocational Education for the administration of this act and for the purpose of making studies, investigations, and reports to aid in the organization and conduct of vocational education, which sums shall be expended as hereinafter provided.

SEC. 2. That for the purpose of cooperating with the States in paying the salaries of teachers, supervisors, or directors of agricultural subjects there is hereby appropriated for the use of the States, subject to the provisions of this act, for the fiscal year ending June thirtieth, nineteen hundred and eighteen, the sum of \$500,000 ; for the fiscal year ending June thirtieth, nineteen hundred and nineteen, the sum of \$750,000 ; for the fiscal year ending June thirtieth, nineteen hundred and twenty, the sum of \$1,000,000 ; for the fiscal year ending June thirtieth, nineteen hundred and twenty-one, the sum of \$1,250,000 ; for the fiscal year ending June thirtieth, nineteen hundred and twenty-two, the sum of \$1,500,000 ; for the fiscal year ending June thirtieth, nineteen hundred and twenty-three, the sum of \$1,750,000 ; for the fiscal year ending June thirtieth, nineteen hundred and twenty-four, the sum of \$2,000,000 ; for the fiscal year ending June thirtieth, nineteen hundred and twenty-five, the sum of \$2,500,000 ; for the fiscal year ending June thirtieth, nineteen hundred and twenty-six, and annually thereafter, the sum of \$3,000,000. Said sums shall be allotted to the States in the proportion which their rural population bears to the total rural population in the United States, not including outlying possessions, according to the last preceding United States census: *Provided*, That the allotment of funds to any State shall be not less than a minimum of \$5,000 for any fiscal year prior to and including the fiscal year ending June thirtieth, nineteen hundred and twenty-three, nor less than \$10,000 for any fiscal year thereafter, and there is hereby appropriated the following sums, or so much thereof as may be necessary, which shall be used for the purpose of providing the minimum allotment to the States provided for in this section: For the fiscal year ending June thirtieth, nineteen hundred and eighteen, the sum of \$48,000 ; for the fiscal year ending June thirtieth, nineteen hundred and nineteen, the sum of \$34,000 ; for the fiscal year ending June thirtieth, nineteen hundred and twenty, the sum of \$24,000 ; for the fiscal year ending June thirtieth, nineteen hundred and twenty-one, the sum of \$18,000 ; for the fiscal year ending June thirtieth, nineteen hundred and twenty-two, the sum of \$14,000 ; for the fiscal year ending June thirtieth, nineteen hundred and twenty-three, the sum of \$11,000 ; for the fiscal year ending June thirtieth, nineteen hundred and twenty-four, the sum of \$9,000 ; for the fiscal year ending June thirtieth, nineteen hundred and twenty-five, the sum of \$34,000 ; and annually thereafter the sum of \$27,000.

SEC. 3. That for the purpose of cooperating with the States in paying the salaries of teachers of trade, home economics, and industrial subjects there is hereby appropriated for the use of the States, for the fiscal year ending June thirtieth, nineteen hundred and eighteen, the sum of \$500,000; for the fiscal year ending June thirtieth, nineteen hundred and nineteen, the sum of \$750,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty, the sum of \$1,000,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-one, the sum of \$1,250,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-two, the sum of \$1,500,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-three, the sum of \$1,750,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-four, the sum of \$2,000,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-five, the sum of \$2,500,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-six, the sum of \$3,000,000; and annually thereafter the sum of \$3,000,000. Said sums shall be allotted to the States in the proportion which their urban population bears to the total urban population in the United States, not including outlying possessions, according to the last preceding United States census: *Provided*, That the allotment of funds to any State shall be not less than a minimum of \$5,000 for any fiscal year prior to and including the fiscal year ending June thirtieth, nineteen hundred and twenty-three, nor less than \$10,000 for any fiscal year thereafter, and there is hereby appropriated the following sums, or so much thereof as may be needed, which shall be used for the purpose of providing the minimum allotment to the States provided for in this section: For the fiscal year ending June thirtieth, nineteen hundred and eighteen, the sum of \$66,000; for the fiscal year ending June thirtieth, nineteen hundred and nineteen, the sum of \$46,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty, the sum of \$34,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-one, the sum of \$28,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-two, the sum of \$25,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-three, the sum of \$22,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-four, the sum of \$19,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-five, the sum of \$56,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-six, and annually thereafter, the sum of \$50,000.

That not more than twenty per centum of the money appropriated under this act for the payment of salaries of teachers of trade, home economics, and industrial subjects, for any year, shall be expended for the salaries of teachers of home economics subjects.

SEC. 4. That for the purpose of cooperating with the States in preparing teachers, supervisors, and directors of agricultural subjects and teachers of trade and industrial and home economics subjects there is hereby appropriated for the use of the States for the fiscal year ending June thirtieth, nineteen hundred and eighteen, the sum of \$500,000; for the fiscal year ending June thirtieth, nineteen hundred and nineteen, the sum of \$700,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty, the sum of \$900,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-one, and annually thereafter, the sum of \$1,000,000. Said sums shall be allotted to the States in the proportion which their population bears to the total population of the United States, not including outlying possessions, according to the last preceding United States census: *Provided*, That the allotment of funds to any State shall be not less than a minimum of \$5,000 for any fiscal year prior to and including the fiscal year ending June thirtieth, nineteen hundred and nine-

teen, nor less than \$10,000 for any fiscal year thereafter. And there is hereby appropriated the following sums, or so much thereof as may be needed, which shall be used for the purpose of providing the minimum allotment provided for in this section: For the fiscal year ending June thirtieth, nineteen hundred and eighteen, the sum of \$46,000; for the fiscal year ending June thirtieth, nineteen hundred and nineteen, the sum of \$32,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty, the sum of \$24,000; for the fiscal year ending June thirtieth, nineteen hundred and twenty-one, and annually thereafter, the sum of \$90,000.

SEC. 5. That in order to secure the benefits of the appropriations provided for in sections two, three, and four of this act, any State shall, through the legislative authority thereof, accept the provisions of this act and designate or create a State board, consisting of not less than three members, and having all necessary power to cooperate, as herein provided, with the Federal Board for Vocational Education in the administration of the provisions of this act. The State board of education, or other board having charge of the administration of public education in the State, or any State board having charge of the administration of any kind of vocational education in the State may, if the State so elect, be designated as the State board, for the purposes of this act.

In any State the legislature of which does not meet in nineteen hundred and seventeen, if the governor of that State, so far as he is authorized to do so, shall accept the provisions of this act and designate or create a State board of not less than three members to act in cooperation with the Federal Board for Vocational Education, the Federal board shall recognize such local board for the purposes of this act until the legislature of such State meets in due course and has been in session sixty days.

Any State may accept the benefits of any one or more of the respective funds herein appropriated, and it may defer the acceptance of the benefits of any one or more of such funds, and shall be required to meet only the conditions relative to the fund or funds the benefits of which it has accepted: *Provided*, That after June thirtieth, nineteen hundred and twenty, no State shall receive any appropriation for salaries of teachers, supervisors, or directors of agricultural subjects, until it shall have taken advantage of at least the minimum amount appropriated for the training of teachers, supervisors, or directors of agricultural subjects, as provided for in this act, and that after said date no State shall receive any appropriation for the salaries of teachers of trade, home economics, and industrial subjects until it shall have taken advantage of at least the minimum amount appropriated for the training of teachers of trade, home economics, and industrial subjects, as provided for in this act.

SEC. 6. That a Federal Board for Vocational Education is hereby created, to consist of the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, the United States Commissioner of Education, and three citizens of the United States to be appointed by the President, by and with the advice and consent of the Senate. One of said three citizens shall be a representative of the manufacturing and commercial interests, one a representative of the agricultural interests, and one a representative of labor. The board shall elect annually one of its members as chairman. In the first instance, one of the citizen members shall be appointed for one year, one for two years, and one for three years, and thereafter for three years each. The members of the board other than the members of the Cabinet and the United States Commissioner of Education shall receive a salary of \$5,000 per annum.

The board shall have power to cooperate with State boards in carrying out the provisions of this act. It shall be the duty of the Federal Board for Voca-

tional Education to make, or cause to have made studies, investigations, and reports, with particular reference to their use in aiding the States in the establishment of vocational schools and classes and in giving instruction in agriculture, trades and industries, commerce and commercial pursuits, and home economics. Such studies, investigations, and reports shall include agriculture and agricultural processes and requirements upon agricultural workers; trades, industries, and apprenticeships, trade and industrial requirements upon industrial workers, and classification of industrial processes and pursuits; commerce and commercial pursuits and requirements upon commercial workers; home management, domestic science, and the study of related facts and principles; and problems of administration of vocational schools and of courses of study and instruction in vocational subjects.

When the board deems it advisable such studies, investigations, and reports concerning agriculture, for the purposes of agricultural education, may be made in cooperation with or through the Department of Agriculture; such studies, investigations, and reports concerning trades and industries, for the purposes of trade and industrial education, may be made in cooperation with or through the Department of Labor; such studies, investigations, and reports concerning commerce and commercial pursuits, for the purposes of commercial education, may be made in cooperation with or through the Department of Commerce; such studies, investigations, and reports concerning the administration of vocational schools, courses of study and instruction in vocational subjects, may be made in cooperation with or through the Bureau of Education.

The Commissioner of Education may make such recommendations to the board relative to the administration of this act as he may from time to time deem advisable. It shall be the duty of the chairman of the board to carry out the rules, regulations, and decisions which the board may adopt. The Federal Board for Vocational Education shall have power to employ such assistants as may be necessary to carry out the provisions of this act.

SEC. 7. That there is hereby appropriated to the Federal Board for Vocational Education the sum of \$200,000 annually, to be available from and after the passage of this act, for the purpose of making or cooperating in making the studies, investigations, and reports provided for in section six of this act, and for the purpose of paying the salaries of the officers, the assistants, and such office and other expenses as the board may deem necessary to the execution and administration of this act.

SEC. 8. That in order to secure the benefits of the appropriation for any purpose specified in this act, the State board shall prepare plans, showing the kinds of vocational education for which it is proposed that the appropriation shall be used; the kinds of schools and equipment; courses of study; methods of instruction; qualifications of teachers; and, in the case of agricultural subjects the qualifications of supervisors or directors; plans for the training of teachers; and, in the case of agricultural subjects, plans for the supervision of agricultural education, as provided for in section ten. Such plans shall be submitted by the State board to the Federal Board for Vocational Education, and if the Federal board finds the same to be in conformity with the provisions and purposes of this act, the same shall be approved. The State board shall make an annual report to the Federal Board for Vocational Education, on or before September first of each year, on the work done in the State and the receipts and expenditures of money under the provisions of this act.

SEC. 9. That the appropriation for the salaries of teachers, supervisors, or directors of agricultural subjects and of teachers of trade, home economics, and industrial subjects shall be devoted exclusively to the payment of salaries of such teachers, supervisors, or directors having the minimum qualifications

set up for the State by the State board, with the approval of the Federal Board for Vocational Education. The cost of instruction supplementary to the instruction in agricultural and in trade, home economics, and industrial subjects provided for in this act, necessary to build a well-rounded course of training, shall be borne by the State and local communities, and no part of the cost thereof shall be borne out of the appropriations herein made. The moneys expended under the provisions of this act, in cooperation with the States, for the salaries of teachers, supervisors, or directors of agricultural subjects, or for the salaries of teachers of trade, home economics, and industrial subjects, shall be conditioned that for each dollar of Federal money expended for such salaries the State or local community, or both, shall expend an equal amount for such salaries; and that appropriations for the training of teachers of vocational subjects, as herein provided, shall be conditioned that such money be expended for maintenance of such training and that for each dollar of Federal money so expended for maintenance, the State or local community, or both, shall expend an equal amount for the maintenance of such training.

SEC. 10. That any State may use the appropriation for agricultural purposes, or any part thereof allotted to it, under the provisions of this act, for the salaries of teachers, supervisors, or directors of agricultural subjects, either for the salaries of teachers of such subjects in schools or classes or for the salaries of supervisors or directors of such subjects under a plan of supervision for the State to be set up by the State board, with the approval of the Federal Board for Vocational Education. That in order to receive the benefits of such appropriation for the salaries of teachers, supervisors, or directors of agricultural subjects the State board of any State shall provide in its plan for agricultural education that such education shall be that which is under public supervision or control; that the controlling purpose of such education shall be to fit for useful employment; that such education shall be of less than college grade and be designed to meet the needs of persons over fourteen years of age who have entered upon or who are preparing to enter upon the work of the farm or of the farm home; that the State or local community, or both, shall provide the necessary plant and equipment determined upon by the State board, with the approval of the Federal Board for Vocational Education, as the minimum requirement for such education in schools and classes in the State; that the amount expended for the maintenance of such education in any school or class receiving the benefit of such appropriation shall be not less annually than the amount fixed by the State board, with the approval of the Federal board as the minimum for such schools or classes in the State; that such schools shall provide for directed or supervised practice in agriculture, either on a farm provided for by the school or other farm, for at least six months per year; that the teachers, supervisors, or directors of agricultural subjects shall have at least the minimum qualifications determined for the State by the State board, with the approval of the Federal Board for Vocational Education.

SEC. 11. That in order to receive the benefits of the appropriation for the salaries of teachers of trade, home economics, and industrial subjects the State board of any State shall provide in its plan for trade, home economics, and industrial education that such education shall be given in schools or classes under public supervision or control; that the controlling purpose of such education shall be to fit for useful employment; that such education shall be of less than college grade and shall be designed to meet the needs of persons over fourteen years of age who are preparing for a trade or industrial pursuit or who

have entered upon the work of a trade or industrial pursuit; that the State or local community, or both, shall provide the necessary plant and equipment determined upon by the State board, with the approval of the Federal Board for Vocational Education, as the minimum requirement in such State for education for any given trade or industrial pursuit; that the total amount expended for the maintenance of such education in any school or class receiving the benefit of such appropriation shall be not less annually than the amount fixed by the State board, with the approval of the Federal board, as the minimum for such schools or classes in the State; that such schools or classes giving instruction to persons who have not entered upon employment shall require that at least half of the time of such instruction be given to practical work on a useful or productive basis, such instruction to extend over not less than nine months per year and not less than thirty hours per week; that at least one-third of the sum appropriated to any State for the salaries of teachers of trade, home economics, and industrial subjects shall, if expended, be applied to part-time schools or classes for workers over fourteen years of age who have entered upon employment, and such subjects in a part-time school or class may mean any subject given to enlarge the civic or vocational intelligence of such workers over fourteen and less than eighteen years of age; that such part-time schools or classes shall provide for not less than one hundred and forty-four hours of classroom instruction per year; that evening industrial schools shall fix the age of sixteen years as a minimum entrance requirement and shall confine instruction to that which is supplemental to the daily employment; that the teachers of any trade or industrial subject in any State shall have at least the minimum qualifications for teachers of such subject determined upon for such State by the State board, with the approval of the Federal Board for Vocational Education: *Provided*, That for cities and towns of less than twenty-five thousand population, according to the last preceding United States census, the State board, with the approval of the Federal Board for Vocational Education, may modify the conditions as to the length of course and hours of instruction per week for schools and classes giving instruction to those who have not entered upon employment, in order to meet the particular needs of such cities and towns.

SEC. 12. That in order for any State to receive the benefits of the appropriation in this act for the training of teachers, supervisors, or directors of agricultural subjects, or of teachers of trade, industrial or home economics subjects, the State board of such State shall provide in its plan for such training that the same shall be carried out under the supervision of the State board; that such training shall be given in schools or classes under public supervision or control; that such training shall be given only to persons who have had adequate vocational experience or contact in the line of work for which they are preparing themselves as teachers, supervisors, or directors, or who are acquiring such experience or contact as a part of their training; and that the State board, with the approval of the Federal board, shall establish minimum requirements for such experience or contact for teachers, supervisors, or directors of agricultural subjects and for teachers of trade, industrial, and home economics subjects; that not more than sixty per centum nor less than twenty per centum of the money appropriated under this act for the training of teachers of vocational subjects to any State for any year shall be expended for any one of the following purposes: For the preparation of teachers, supervisors, or directors of agricultural subjects, or the preparation of teachers of trade and industrial subjects, or the preparation of teachers of home economics subjects.

SEC. 13. That in order to secure the benefits of the appropriations for the salaries of teachers, supervisors, or directors of agricultural subjects, or for

the salaries of teachers of trade, home economics, and industrial subjects, or for the training of teachers as herein provided, any State shall, through the legislative authority thereof, appoint as custodian for said appropriations its State treasurer, who shall receive and provide for the proper custody and disbursements of all money paid to the State from said appropriations.

SEC. 14. That the Federal Board for Vocational Education shall annually ascertain whether the several States are using, or are prepared to use, the money received by them in accordance with the provisions of this act. On or before the first day of January of each year the Federal Board for Vocational Education shall certify to the Secretary of the Treasury each State which has accepted the provisions of this act and complied therewith, certifying the amounts which each State is entitled to receive under the provisions of this act. Upon such certification the Secretary of the Treasury shall pay quarterly to the custodian for vocational education of each State the moneys to which it is entitled under the provisions of this act. The moneys so received by the custodian for vocational education for any State shall be paid out on the requisition of the State board as reimbursement for expenditures already incurred to such schools as are approved by said State board and are entitled to receive such moneys under the provisions of this act.

SEC. 15. That whenever any portion of the fund annually allotted to any State has not been expended for the purpose provided for in this act, a sum equal to such portion shall be deducted by the Federal board from the next succeeding annual allotment from such fund to such State.

SEC. 16. That the Federal Board for Vocational Education may withhold the allotment of moneys to any State whenever it shall be determined that such moneys are not being expended for the purposes and under the conditions of this act.

If any allotment is withheld from any State, the State board of such State may appeal to the Congress of the United States, and if the Congress shall not direct such sum to be paid it shall be covered into the Treasury.

SEC. 17. That if any portion of the moneys received by the custodian for vocational education of any State under this act, for any given purpose named in this act, shall, by any action or contingency, be diminished or lost, it shall be replaced by such State, and until so replaced no subsequent appropriation for such education shall be paid to such State. No portion of any moneys appropriated under this act for the benefit of the States shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings or equipment, or for the purchase or rental of lands, or for the support of any religious or privately owned or conducted school or college.

SEC. 18. That the Federal Board for Vocational Education shall make an annual report to Congress, on or before December first, on the administration of this act and shall include in such report the reports made by the State boards on the administration of this act by each State and the expenditure of the money allotted to each State.

Approved, February 23, 1917.

AGRICULTURAL EXPERIMENT STATIONS.

ACT OF 1887 ESTABLISHING AGRICULTURAL EXPERIMENT STATIONS.

[Hatch Act.]

AN ACT To establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to aid in acquiring and diffusing among the people of the United States useful and practical information on subjects connected with agriculture, and to promote scientific investigation and experiment respecting the principles and applications of agricultural science, there shall be established under direction of the college or colleges or agricultural departments of colleges in each State or Territory established, or which may hereafter be established, in accordance with the provisions of an act approved July second, eighteen hundred and sixty-two, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," or any of the supplements to said act, a department to be known and designated as an "agricultural experiment station": *Provided*, That in any State or Territory in which two such colleges have been or may be so established the appropriation hereinafter made to such State or Territory shall be equally divided between such colleges, unless the legislature of such State or Territory shall otherwise direct.

SEC. 2. That it shall be the object and duty of said experiment stations to conduct original researches or verify experiments on the physiology of plants and animals; the diseases to which they are severally subject, with the remedies for the same; the chemical composition of useful plants at their different stages of growth; the comparative advantages of rotative cropping as pursued under the varying series of crops; the capacity of new plants or trees for acclimation; the analysis of soils and water; the chemical composition of manures, natural or artificial, with experiments designed to test the comparative effects on crops of different kinds; the adaptation and value of grasses and forage plants; the composition and digestibility of the different kinds of food for domestic animals; the scientific and economic questions involved in the production of butter and cheese; and such other researches or experiments bearing directly on the agricultural industry of the United States as may in each case be deemed advisable, having due regard to the varying conditions and needs of the respective States and Territories.

SEC. 3. That in order to secure, as far as practicable, uniformity of methods and results in the work of said stations, it shall be the duty of the United States Commissioner [now Secretary] of Agriculture to furnish forms, as far as practicable, for the tabulation of results of investigation or experiment; to indicate

from time to time such lines of inquiry as to him shall seem most important, and, in general, to furnish such advice and assistance as will best promote the purpose of this act. It shall be the duty of each of said stations annually, on or before the first of February, to make to the governor of the State or Territory in which it is located a full and detailed report of its operations, including a statement of receipts and expenditures, a copy of which report shall be sent to each of said stations, to the said Commissioner [now Secretary] of Agriculture, and to the Secretary of the Treasury of the United States.

SEC. 4. That bulletins or reports of progress shall be published at said stations at least once in three months, one copy of which shall be sent to each newspaper in the States or Territories in which they are respectively located, and to such individuals actually engaged in farming as may request the same and as far as the means of the station will permit. Such bulletins or reports and the annual reports of said stations shall be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General may from time to time prescribe.

SEC. 5. That for the purpose of paying the necessary expenses of conducting investigations and experiments and printing and distributing the results as hereinbefore prescribed, the sum of fifteen thousand dollars per annum is hereby appropriated to each State, to be specially provided for by Congress in the appropriations from year to year, and to each Territory entitled under the provisions of section eight of this act, out of any money in the Treasury proceeding from the sales of public lands, to be paid in equal quarterly payments on the first day of January, April, July, and October in each year, to the Treasurer or other officer duly appointed by the governing boards of said colleges to receive the same, the first payment to be made on the first day of October, eighteen hundred and eighty-seven: *Provided, however,* That out of the first annual appropriation so received by any station an amount not exceeding one-fifth may be expended in the erection, enlargement, or repair of a building or buildings necessary for carrying on the work of such station; and thereafter an amount not exceeding five per centum of such annual appropriation may be so expended.

SEC. 6. That whenever it shall appear to the Secretary of the Treasury from the annual statement of receipts and expenditures of any of said stations that a portion of the preceding annual appropriation remains unexpended, such amount shall be deducted from the next succeeding annual appropriation to such station, in order that the amount of money appropriated to any station shall not exceed the amount actually and necessarily required for its maintenance and support.

SEC. 7. That nothing in this act shall be construed to impair or modify the legal relation existing between any of the said colleges and the government of the States or Territories in which they are respectively located.

SEC. 8. That in States having colleges entitled under this section to the benefits of this act and having also agricultural experiment stations established by law separate from said colleges, such States shall be authorized to apply such benefits to experiments at stations so established by such States; and in case any State shall have established, under the provisions of said act of July second aforesaid, an agricultural department or experimental station in connection with any university, college, or institution not distinctly an agricultural college or school, and such State shall have established or shall hereafter establish a separate agricultural college or school, which shall have connected therewith an experimental farm or station, the legislature of such State may apply in whole or in part the appropriation by this act made to such separate agricultural college or school, and no legislature shall by contract, express or implied, disable itself from so doing.

SEC. 9. That the grants of moneys authorized by this act are made subject to the legislative assent of the several States and Territories to the purposes of said grants: *Provided*, That payment of such installments of the appropriation herein made as shall become due to any State before the adjournment of the regular session of its legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof duly certified to the Secretary of the Treasury.

SEC. 10. Nothing in this act shall be held or construed as binding the United States to continue any payments from the Treasury to any or all the States or institutions mentioned in this act, but Congress may at any time amend, suspend, or repeal any or all the provisions of this act.

Approved, March 2, 1887 (24 Stat. L., 440).

ACT OF 1888 AMENDING (HATCH) ACT OF 1887.

AN ACT To amend an act entitled "An act to establish agricultural stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and the acts supplementary thereto."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grant of money authorized by the act of Congress entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of acts supplementary thereto," are subject as therein provided to the legislative assent of the States or Territories to be affected thereby; but as to such installments of the appropriations as may be now due or may hereafter become due, when the legislature may not be in session, the governor of said State or Territory may make the assent therein provided, and upon a duly certified copy thereof to the Secretary of the Treasury he shall cause the same to be paid in the manner provided in the act of which this is amendatory, until the termination of the next regular session of the legislature of such State or Territory.

Approved, June 7, 1888 (25 Stat. L., 176).

PROVISO IN ACT MAKING APPROPRIATIONS FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE FISCAL YEAR ENDING JUNE 30, 1890, FURTHER DEFINING WORK OF STATIONS ESTABLISHED UNDER ACT OF MARCH 2, 1887 (HATCH ACT).

That, as far as practicable, all such stations shall devote a portion of their work to the examination and classification of soils of their respective States and Territories, with a view to securing more extended knowledge and better development of their agricultural capabilities.

Approved, March 2, 1889 (25 Stat. L., 841).

ACT OF 1906 FOR THE FURTHER ENDOWMENT OF AGRICULTURAL EXPERIMENT STATIONS.

[Adams Act.]

AN ACT To provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, to be paid as hereinafter provided, to each State and Territory, for the

more complete endowment and maintenance of agricultural experiment stations now established or which may hereafter be established in accordance with the act of Congress approved March second, eighteen hundred and eighty-seven, the sum of five thousand dollars in addition to the sum named in said act for the year ending June thirtieth, nineteen hundred and six, and an annual increase of the amount of such appropriation thereafter for five years by an additional sum of two thousand dollars over the preceding year, and the annual amount to be paid thereafter to each State or Territory shall be thirty thousand dollars, to be applied only to paying the necessary expenses of conducting original researches or experiments bearing directly on the agricultural industry of the United States, having due regard to the varying conditions and needs of the respective States or Territories.

SEC. 2. That the sums hereby appropriated to the States and Territories for the further endowment and support of agricultural experiment stations shall be annually paid in equal quarterly payments on the first day of January, April, July, and October of each year by the Secretary of the Treasury, upon the warrant of the Secretary of Agriculture, out of the Treasury of the United States, to the treasurer or other officer duly appointed by the governing boards of said experiment stations to receive the same, and such officers shall be required to report to the Secretary of Agriculture on or before the first day of September of each year a detailed statement of the amount so received and of its disbursement, on schedules prescribed by the Secretary of Agriculture. The grants of money authorized by this act are made subject to legislative assent of the several States and Territories to the purpose of said grants: *Provided*, That payment of such installments of the appropriation herein made as shall become due to any State or Territory before the adjournment of the regular session of legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof, duly certified by the Secretary of the Treasury.

SEC. 3. That if any portion of the moneys received by the designated officer of any State or Territory for the further and more complete endowment, support, and maintenance of agricultural experiment stations as provided in this act shall by any action or contingency be diminished or lost or be misapplied, it shall be replaced by said State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory; and no portion of said moneys exceeding five per centum of each annual appropriation shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings, or to the purchase or rental of land. It shall be the duty of each of said stations annually, on or before the first day of February, to make to the governor of the State or Territory in which it is located a full and detailed report of its operations, including a statement of receipts and expenditures, a copy of which report shall be sent to each of said stations, to the Secretary of Agriculture, and to the Secretary of the Treasury of the United States.

SEC. 4. That on or before the first day of July in each year after the passage of this act the Secretary of Agriculture shall ascertain and certify to the Secretary of the Treasury as to each State and Territory whether it is complying with the provisions of this act and is entitled to receive its share of the annual appropriation for agricultural experiment stations under this act and the amount which thereupon each is entitled, respectively, to receive. If the Secretary of Agriculture shall withhold a certificate from any State or Territory of its appropriation, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the

close of the next Congress, in order that the State or Territory may, if it shall so desire, appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury; and the Secretary of Agriculture is hereby charged with the proper administration of this law.

SEC. 5. That the Secretary of Agriculture shall make an annual report to Congress on the receipts and expenditures and work of the agricultural experiment stations in all of the States and Territories, and also whether the appropriation of any State or Territory has been withheld, and if so, the reason therefor.

SEC. 6. That Congress may at any time amend, suspend, or repeal any or all of the provisions of this act.

Approved, March 16, 1906 (34 Stat. L., 63).

PROVISIONS OF ACT MAKING APPROPRIATIONS FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE FISCAL YEAR ENDING JUNE 30, 1907, CONSTRUING THE ACT OF MARCH 16, 1906 (ADAMS ACT).

The act of Congress approved March sixteenth, nineteen hundred and six, entitled "An act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof," shall be construed to appropriate for each station the sum of five thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and six, the sum of seven thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and seven, the sum of nine thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and eight, the sum of eleven thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and nine, the sum of thirteen thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and ten, and the sum of fifteen thousand dollars for the fiscal year ending June thirtieth, nineteen hundred and eleven. The sum of five thousand dollars appropriated for the fiscal year nineteen hundred and six shall be paid on or before June thirtieth, nineteen hundred and six, and the amounts appropriated for the subsequent years shall be paid as provided in the said act to each State and Territory for the more complete endowment and maintenance of agricultural experiment stations now established or which may hereafter be established in accordance with the act of Congress approved March second, eighteen hundred and eighty-seven.

Approved, June 30, 1906 (34 Stat. L., 669, 696).

APPROPRIATIONS FOR THE STATE STATIONS.

[Annual appropriations for State agricultural experiment stations, in the act making appropriations for the United States Department of Agriculture for the fiscal year ending June 30, 1920.]

To carry into effect the provisions of an act approved March second, eighteen hundred and eighty-seven, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto," the sums apportioned to the several States and Territories, to be paid quarterly in advance, \$720,000;

To carry into effect the provisions of an act approved March sixteenth, nineteen hundred and six, entitled "An act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof," the sums apportioned to the several States and Territories, to be paid quarterly in advance, \$720,000: *Provided*, That not to exceed \$15,000 shall be paid to each State and Territory under this act.

COOPERATION OF BUREAUS OF THE UNITED STATES DEPARTMENT OF AGRICULTURE WITH THE STATE EXPERIMENT STATIONS.

The act making appropriations for the United States Department of Agriculture for the fiscal year ending June 30, 1920, provides for cooperation between the Bureau of Animal Industry and the State experiment stations in animal feeding and breeding; between the States Relations Service and the stations in administering the Hatch and Adams funds; between the Bureau of Soils and the stations in the investigation of soils; between the Bureau of Entomology and the stations in the prevention of the spread of gipsy and brown-tail moths; and between the Bureau of Markets and the agricultural colleges and experiment stations in studies of cooperation among farmers.

REGULATIONS OF THE POST OFFICE DEPARTMENT CONCERNING FREE TRANSMISSION OF STATION PUBLICATIONS.

Sections 503 and 504 of the Postal Laws and Regulations (1913) of the United States relating to the free transmission of reports and bulletins of the experiment stations read as follows:

TO WHOM PUBLICATIONS MAY BE FRANKED.

SEC. 503. Bulletins or reports of progress, one copy to each newspaper in the State or Territory in which the colleges hereafter referred to are located, and to such individuals actually engaged in farming as may request the same and the annual reports required by law to be published by the agricultural experiment stations established under the provisions of the act of March 2, 1887, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the various States and Territories under the provisions of an act approved July 2, 1862, and the acts supplementary thereto," for the benefit of agriculture and the mechanic arts (*of said stations*) shall be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General may from time to time prescribe.

HOW THE FRANKING PRIVILEGE IS TO BE USED.

SEC. 504. An agricultural experiment station which claims the privilege of transmitting free through the mails, under the provisions of the preceding section, bulletins, reports of progress, or annual reports, should make application to the Third Assistant Postmaster General, Division of Classification, through the postmaster at the office where such station is located, stating the date of the establishment of the station, its proper name or designation, its official organization, and the names of its officers, the name of the university, college, school, or institution to which it is attached, if any, the legislation of the State or Territory providing for its establishment, and any other granting it the benefits of the acts of Congress referred to in the preceding section, and whether any other such station in the same State or Territory is considered, or claims to be,

also entitled to the privilege; and also the place where such station is located and the name of the post office where the bulletins and reports will be mailed. The application should be signed by the officer in charge of the station.

2. If such privilege is allowed the postmaster will be instructed to admit such bulletins and reports to the mails free of postage.

3. Only such bulletins or reports as shall have been issued after an experiment station became entitled to the privileges of the preceding section may be transmitted free; and they may be inclosed in envelopes or wrappers, sealed or unsealed. On the exterior of every envelope, wrapper, or package shall be written or printed the name of the station and place of its location, the designation of the bulletin or report inclosed, and the word "Free," over the signature or facsimile thereof of the officer in charge of the station, to be affixed by himself, or by some one duly authorized by him. There may also be written or printed upon the envelope or wrapper a request that the postmaster at the office of delivery notify the mailing station of the change of address of the addressee, or other reason for inability to deliver the same, and upon a bulk package a request to the postmaster to open and distribute the "franked" matter therein, in accordance with the addresses thereon.

DEPARTMENT OF AGRICULTURE BULLETINS MAY BE FRANKED WITH STATION PUBLICATIONS.

4. Bulletins published by the United States Department of Agriculture, and entitled to be mailed free under the penalty envelope of that department, may also be adopted and mailed by agricultural experiment stations, with such of their own publications as are entitled to free transmission in the mails, under the same regulations; and any bulletins or reports mailable free by any agricultural experiment station under these regulations may be so mailed by any other station entitled to such privilege.

REPORTS OF STATE BOARDS OR DEPARTMENTS OF AGRICULTURE MAY NOT BE FRANKED.

5. If annual reports of an agricultural experiment station are printed by State authority, and consist in part of matter relating to the land-grant college to which such station is attached, then said report entire may be mailed free by the director of the station, provided, in his judgment, the whole consists of useful information of an agricultural character. But the reports of State agricultural departments or boards can not be adopted by agricultural experiment stations in order to secure free circulation of such State reports.

FREE DISTRIBUTION OF ANNUAL REPORTS NOT RESTRICTED.

6. The bulletins and reports of progress issued by agricultural experiment stations can only be sent free to the newspapers and persons stated in the preceding section [sec. 503]. The annual reports may be sent free to any address.

FREE TRANSMISSION OF ANNUAL REPORTS TO FOREIGN COUNTRIES.

A part of section 518, relating to free transmission of annual reports to certain foreign countries, reads as follows:

Bulletins and annual reports of agricultural experiment stations may be sent free to Canada, Cuba, Mexico, the Republic of Panama, and the city of Shanghai, China.

RETURN AND DISPOSAL OF UNCLAIMED MATTER.

A part of section 633, relating to the return and disposal of unclaimed official matter, as amended April 26, 1912, reads as follows:

Unclaimed official mail sent under penalty envelope or label, or the frank of a Member of Congress, and unclaimed reports and bulletins sent out from State agricultural colleges and from agricultural experiment stations shall be returned to the office of mailing if it is known. If the office of origin can not be ascertained, such mail shall be returned to the post office at Washington, D. C.

USE OF RETURN PENALTY ENVELOPES OR CARDS.

Parts of sections 496 and 500 provide that—

Officers desiring official information from or through persons not officers may furnish penalty envelopes or labels to cover the same only with return address printed or written thereon, * * * the same to be used only to cover such official information, and indorsements relating thereto.

FREE TRANSMISSION TO UNITED STATES POSSESSIONS.

An order of the Postmaster General provides—

Any article entitled to transmission free of postage in the domestic mails of the United States, either in a "penalty" envelope or under a duly authorized "frank," shall be entitled likewise to transmission in the mails free of postage between places in any possession of the United States from one to another of such possessions, from the United States to such possession, and from such possession to the United States.

Among rulings on matters of detail the following are the most important:

POSTAL CARDS ANNOUNCING ISSUE OF NEW PUBLICATIONS NOT FRANKABLE.

There is no provision in law authorizing the use of official penalty cards for the purpose of announcing in advance of issue the contents of forthcoming bulletins or reports.

PAID-FOR PUBLICATIONS MAY NOT BE FRANKED.

Copies of the reports or bulletins of the agricultural experiment stations, which are purchased, paid, or subscribed for, or otherwise disposed of for gain, when sent in the mails, are not entitled to free carriage under the "frank" of the director of station.

BULLETINS NOT FRANKABLE TO NEWSPAPERS OUTSIDE OF STATE OF ISSUE.

Bulletins are not mailable free to newspapers outside of the State or Territory in which the issuing station is located.

TYPEWRITTEN OR MECHANICALLY DUPLICATED BULLETINS OR REPORTS MAY BE FRANKED.

Station bulletins and reports, consisting of typewritten matter duplicated on a mimeograph or other duplicating machine, "retain their character as free matter when properly franked by the director of the station."

HOW CARD BULLETINS MAY BE FRANKED.

Cards upon which are printed bulletins issued by agricultural experiment stations established under the provisions of the act of March 2, 1887, may be sent openly in the mails, free of postage, provided the address side of such cards bears the indicia prescribed in paragraph 3, section 504, Postal Laws and Regulations, for envelopes used by the experiment stations referred to in mailing copies of their bulletins and reports.

REPORTS OF STATE BOARDS AND DEPARTMENTS OF AGRICULTURE AND COLLEGE CATALOGUES MAY NOT BE SENT UNDER STATION FRANK.

Reports of the State boards of agriculture or other State boards, commissioners, or officers, even though they contain station bulletins and reports, can not be sent free through the mails under the frank of the director of the station. The catalogue of the college of which the station is a department can not be sent free through the mails under the frank of the directors of the station, whether said catalogue is published separately or is bound together with a station publication.

RULINGS OF THE TREASURY DEPARTMENT AFFECTING AGRICULTURAL EXPERIMENT STATIONS.

From copies of letters addressed to the Secretary of the Treasury and others by the First Comptroller of the Treasury, relating to the construction of the acts of Congress of March 2, 1887 (Hatch Act), and March 16, 1906 (Adams Act), and acts supplementary thereto, the following digest has been prepared. The dates of the decisions by the comptroller are given:

ANNUAL FINANCIAL STATEMENT.

The annual financial statement of the stations, with vouchers, should not be sent to the Treasury Department, but a copy simply of the report that is made to the governor is to be sent to the Secretary of the Treasury. January 30, 1888.

REQUIREMENTS OF FISCAL OFFICERS.

1. The Treasury Department will not require officers of experiment stations to do or perform anything not specifically required by said bill.

2. The Secretary of the Treasury is not required to take a bond of the officers of said stations for the money paid over under the provisions of said act.

3. No reports will be required from the stations directly to the Secretary of the Treasury; but the governor of the State must send to the Secretary of the Treasury a copy of the report made to him by the colleges or stations. January 31, 1888.

SALE OF STATION BULLETINS.

The Solicitor of the Treasury writes: "I am of the opinion that there is no authority for an agricultural experiment station to sell its bulletins outside of the State or Territory. Congress appropriates for the publication and free distribution of the bulletins and neither expressly nor by necessary implication authorizes their sale." December 16, 1895.

ANTICIPATION OF FIRST QUARTER PAYMENTS.

The fiscal year commences on the 1st day of July, corresponding with the fiscal year of the Government.

An agricultural station entitled to the benefits of * * * appropriations made by Congress can anticipate the payment to be made July 1, and make contracts of purchases prior to that time, if it shall be necessary to carry on the work of the station. Of course, no portion of said appropriations paid in quarterly installments can be drawn from the Treasury unless needed for the purposes indicated in the act; and so much of what is so drawn as may not have been expended within the year must be accounted for as part of the appropriation for the following year. August 2, 1888.

ESTABLISHMENT OF INDEPENDENT STATIONS.

The [Hatch] Act contemplates that where stations have already been established disconnected from the colleges the legislatures of such States may make such provisions in regard thereto as they may deem proper; but it does not authorize the establishment of stations except in connection with the colleges that were at that time or might hereafter be established under the act of July 2, 1862. January 30, 1888.

DIVISION OF FUNDS BETWEEN STATIONS ALREADY ESTABLISHED.

Where there is an agricultural college or station which may have been established by State authority and is maintained by the State, the eighth section of the above act would authorize the State to designate the station to which it desired the appropriation to be applied, whether to one or more, or all, and the Secretary of the Treasury should make the payment under the appropriation to whichever one the State might desire. February 14, 1888.

DESIGNATION OF BENEFICIARIES OF THE HATCH FUND BY STATE LEGISLATURES.

1. When an agricultural college or station has been established under the act of July 2, 1862, each college is entitled to the benefits of the provisions of said act (i. e., of Mar. 2, 1887).

2. In a State where an agricultural college has been established under the act of July 2, 1862, and agricultural stations have also been established, either under the act of July 2, 1862, or by State authority, before March 2, 1887, the legislature of such State shall determine which one of said institutions, or how many of them, shall receive the benefits of the act of March 2, 1887.

3. If the legislature of any State in which an agricultural college has been established under the act of July 2, 1862, desires to establish an agricultural station which shall be entitled to the benefits of said act, it must establish such station in connection with said college. February 15, 1888.

It is within the power of the legislature of any State that has accepted the provisions of said act of March 2, 1887, to dispose of the amount appropriated by Congress for said station to each one or all of the agricultural colleges or stations which may have been established in said State by virtue of either the provisions of the act of July 2, 1862, or the provisions of said eighth section of the act of March 2, 1887.

The whole responsibility rests upon the State legislature as to how the fund appropriated by Congress shall be distributed among these various institutions of the State, provided there is one or more agricultural colleges with which an agricultural station is connected or one or more agricultural stations. December 7, 1888.

RULINGS OF THE COMPTROLLER OF THE TREASURY REGARDING UNEXPENDED BALANCES OF APPROPRIATIONS, HATCH AND ADAMS ACTS.

Section 3 of the so-called Adams Act of March 16, 1906 (34 Stat., 63), which provides for an increased annual appropriation for agricultural experiment stations, requires that such part of the money appropriated under the provisions of said act as may be diminished or lost or misapplied after being received by the officer of the State or Territory designated to receive same must "be replaced by said State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory"; and this requirement is an absolute prohibition upon the apportionment until such replacement is actually made, a mere withholding from the subsequent appropriation of an amount equal to that diminished, lost, or misapplied not being a compliance with said statute. (18 Comp. Dec., 120.)

Such funds may be replaced by expending the amount involved for the purposes for which the funds were originally appropriated, to the satisfaction of the Secretary of Agriculture. There is "no limitation on time within which the replacement shall be made," but "no apportionment whatever can be made until the misapplied moneys are replaced."

The provision in the Hatch Act of March 2, 1887 (24 Stat., 440), requiring the deduction of unexpended apportionments of appropriations applies also to appropriations under the Adams Act of March 16, 1906 (34 Stat., 63). (18 Comp. Dec., 485.)

Such unexpended balances must be accounted for as a part of the appropriation for the next succeeding year; in short, each station must account every year for the specific sum (\$15,000) provided by Congress, although the amount actually paid to the station in any one year may be less than \$15,000 on account of the deduction of an unexpended balance for the preceding fiscal year.

RULINGS OF THE DEPARTMENT OF AGRICULTURE ON THE WORK AND EXPENDITURES OF AGRICULTURAL EXPERIMENT STATIONS.

In connection with examinations of the work and expenditures of the agricultural experiment stations established in accordance with the act of Congress of March 2, 1887, and further endowed under act of Congress of March 16, 1906, under authority given to the Secretary of Agriculture by Congress, questions have arisen which have seemed to make it advisable to formulate the views of this department on certain matters affecting the management of the stations under those acts. The rulings which have been made from time to time on points which seemed to require special attention are as follows:

PERMANENT SUBSTATIONS.

This department holds that the expenditure of funds appropriated in accordance with the provisions of the act of Congress of March 2, 1887, for the maintenance of permanent substations is contrary to the spirit and intent of

said act. The act provides for an experiment station in each State and Territory, which, except in cases specified in the act, is to be a department of the college established under the act of Congress of July 2, 1862. The objects of the stations, as defined in the first-mentioned act, are evidently of such a character as to necessitate the services of scientific and expert workers. Most of the lines of investigation named in the act are general, rather than local, and involve scientific equipment and work. It is obviously the intent that the stations established under this act shall carry on important investigations which shall be of general benefit to the agriculture of the several States and Territories. The sum of \$15,000, which is annually appropriated by Congress under this act for each station, is only sufficient to carry out a limited number of investigations of the kind contemplated by the act.

As the work of the stations in the different States has developed it has been found necessary to limit, rather than expand, the lines of work of the individual stations. Thorough work in a few lines has been found more effective and productive of more useful results than small investigations in numerous lines. When we consider the nature of the investigations, the amount of money provided for the work of each station, and the fact that the act expressly provides for only a single station in connection with each college, it becomes very clear that expenditures such as are necessary to effectually maintain permanent substations ought not to be made from the funds granted by Congress to the States and Territories for experiment stations. The maintenance of permanent substations, as a rule, involve the erection of buildings and the making of other permanent improvements. The sums of money which can be expended for permanent improvements under the act of Congress aforesaid are so small that it is clear they were not intended to meet the needs of more than one station in each State and Territory.

When the legislature of a State or Territory has given its assent to the provisions of the act of Congress of March 2, 1887, and has designated the institution which shall receive the benefits of said act, it would seem to have exhausted its powers in the matter. The responsibility for the maintenance of an experiment station under said act devolves upon the governing board of the institution thus designated. If the legislature of the State or Territory sees fit to provide funds for the equipment and maintenance of other experiment stations and to put them under the control of the same governing board, well and good, but this does not in any way diminish the responsibility of the board to administer the funds granted by Congress in accordance with the provisions of said act.

The wisdom of Congress in limiting the number of stations to be established in each State and Territory under the aforesaid act has been clearly shown by the experience of the few States and Territories which have attempted the maintenance of substations with the funds granted under said act. The expense of maintaining substations has, as a rule, materially weakened the central station, and the investigations carried on at the substations have been superficial and temporary. It is granted that in many States and Territories more than one agricultural experiment station might do useful work, and in some States more than one station has already been successfully maintained; but in all these cases the State has given funds from its own treasury to supplement those given by Congress. It is also granted that experiment stations established under said act of Congress and having no other funds than those provided by that act will often need to carry on investigations in different localities in their respective States and Territories, but it is held that this should be done in such a way as will secure the thorough supervision of such investigations by the expert officers

of the station and that arrangements for such experimental inquiries should not be of so permanent a character as to prevent the station from shifting its work from place to place as circumstances may require nor involve the expenditure of funds in such amounts and in such ways as will weaken the work of the station as a whole.

As far as practicable the cooperation of individuals and communities benefited by these special investigations should be sought and, if necessary, the aid of the States invoked to carry on enterprises too great to be successfully conducted within the limits of the appropriation granted by Congress under the act aforesaid.

PURCHASE OR RENTAL OF LANDS FOR AGRICULTURAL EXPERIMENT STATIONS.

This department holds that the purchase or rental of lands by the experiment stations from the funds appropriated in accordance with the provisions of the act of Congress of March 2, 1887, is contrary to the spirit and intent of said act. The act provides for "paying the necessary expenses of conducting investigations and experiments and printing and distributing the results. * * * *Provided, however,* That out of the first annual appropriation so received by any station an amount not exceeding one-fifth may be expended in the erection, enlargement, or repair of a building or buildings necessary for carrying on the work of such stations; and thereafter an amount not exceeding five per centum of such annual appropriation may be so expended." The only reference to land for the station in the act is in section 8, where State legislatures are authorized to apply appropriations made under said act to separate agricultural colleges or schools established by the State "which shall have connected therewith an experimental farm or station." The strict limitation of the amount provided for buildings and the absence of any provision for the purchase or rental of lands, when taken in connection with the statement in the eighth section, which treats the farm as in a sense a necessary adjunct of the educational institution to which the whole or a part of the funds appropriated in accordance with said act might in certain cases be devoted, point to the conclusion that it was expected that the institution of which the station is a department would supply the land needed for experimental purposes and that charges for the purchase or rental of lands would not be made against the funds provided by Congress for the experiment station. This conclusion is reenforced by a consideration of a wise and economic policy in the management of agricultural experiment stations, especially as relating to cases in which it might be desirable for the station to have land for experimental purposes in different localities. The investigations carried on by the stations in such cases being for the direct benefit of agriculture in the localities where the work is done, it seems only reasonable that persons or communities whose interests will be advanced by the station work should contribute the use of the small tracts of land which will be required for experimental purposes. Experience shows that in most cases the stations have had no difficulty in securing such land as they needed without expense, and it is believed that this may be done in every case without injuriously affecting the interests of the stations.

AGRICULTURAL EXPERIMENT STATIONS FOR CARRYING ON FARM OPERATIONS.

This department holds that expenses incurred in conducting the operations of farms, whether the farms are connected with institutions established under the act of Congress of July 2, 1862, or not, are not a proper charge against the funds appropriated by Congress for agricultural experiment stations in accord-

ance with the act of Congress of March 2, 1887, unless such operations definitely constitute a part of agricultural investigations or experiments planned and conducted in accordance with the terms of the act aforesaid, under rules and regulations prescribed by the governing board of the station. The performance of ordinary farm operations by an experiment station does not constitute experimental work. Operations of this character by an experiment station should be confined to such as are a necessary part of experimental inquiries. Carrying on a farm for profit or as a model farm, or to secure funds which may be afterwards devoted to the erection of buildings for experiment station purposes, to the further development of experimental investigation, or to any other purpose, however laudable and desirable, is not contemplated by the law as a part of the functions of an agricultural experiment station established under the act of Congress of March 2, 1887. Section 5 of that act plainly limits the expenditures of funds appropriated in accordance with said act to "the necessary expenses of conducting investigations and experiments and printing and distributing the results."

SALES FUNDS OF AN AGRICULTURAL EXPERIMENT STATION.

This department holds that moneys received from the sales of farm products or other property in the possession of an agricultural experiment station as the result of expenditures of funds received by the station in accordance with the act of Congress of March 2, 1887, rightfully belong to the experiment station as a department of the college or other institution with which it is connected, and may be expended in accordance with the laws or regulations governing the financial transactions of the governing board of the station, provided, however, that all expenses attending such sales, including those attending the delivery of the property into the possession of the purchaser, should be deducted from the gross receipts from the sales and should not be made a charge against the funds appropriated by Congress.

LIMIT OF EXPENDITURES OF EXPERIMENT STATIONS DURING ONE FISCAL YEAR.

This department holds that expenses incurred by an agricultural experiment station in any one fiscal year to be paid from the funds provided under the act of Congress of March 2, 1887, should not exceed the amount appropriated to the station by Congress for that year, and especially that all personal services should be paid for out of the appropriation of the year in which they were performed, and that claims for compensation for such services can not properly be paid out of the appropriations for succeeding years. The several appropriations for experiment stations under the aforesaid act are for one year only, and officers of experiment stations have no authority to contract for expenditures beyond the year for which Congress has made appropriations.

This is plainly implied in the act aforesaid, inasmuch as section 6 provides that unexpended balances shall revert to the Treasury of the United States, "in order that the amount of money appropriated to any station shall not exceed the amount actually and necessarily required for its maintenance and support." The annual financial report rendered in the form prescribed by this department should in every case include only the receipts and expenditures of the fiscal year for which the report is made.

EXPENDITURES FOR A WATER SYSTEM TO BE CHARGED UNDER "BUILDINGS AND REPAIRS."

This department holds that expenditures by agricultural experiment stations from the funds appropriated in accordance with the act of Congress of March 2, 1887, for the construction of wells, cisterns, ponds, or other reservoirs for the

storage of water, and for piping, and other materials for a system of storing and distributing water, are properly charged, under abstract 18 in the schedule for financial reports prescribed by this department, as being for improvements on lands which have hitherto been held to come under the head of "buildings and repairs." The fact that a water system may be a necessary adjunct of certain experimental inquiries does not affect the case, inasmuch as the limitations on expenditures for improvements contained in section 5 of the act of Congress of March 2, 1887, expressly stipulate that these improvements shall be such as are necessary for carrying on the work of the station.

MEMBERSHIP FEES IN AGRICULTURAL AND OTHER ORGANIZATIONS.

This department holds that membership fees in associations and other organizations are not a proper charge against the funds appropriated by Congress in accordance with the act of March 2, 1887, except in the case of the Association of American Agricultural Colleges and Experiment Stations, which is held to be an essential part of the system of experiment stations established under said act.

THE BORROWING OF MONEY BY AGRICULTURAL EXPERIMENT STATIONS.

This department holds that experiment station officers have no authority to borrow money to be repaid out of appropriations made under the act of Congress of March 2, 1887, and that charges for interest can not properly be made against funds appropriated under that act.

THE USE OF EXPERIMENT STATION FUNDS FOR COLLEGE PURPOSES.

This department holds that no portion of the funds appropriated by Congress in accordance with the act of March 2, 1887, can legally be used, either directly or indirectly, for paying the salaries or wages of professors, teachers, or other persons whose duties are confined to teaching, administration, or other work in connection with the courses of instruction given in the colleges with which the stations are connected or in any other educational institution; nor should any other expenses connected with the work or facilities for instruction in school or college courses be paid from said fund. In case the same persons are employed in both the experiment station and the other departments of the college with which the station is connected a fair and equitable division of salaries or wages should be made, and in case of any other expenditures for the joint benefit of the experiment station and the other departments of the college the aforesaid funds should be charged with only a fair share of such expenditures.

EXPENSES FOR EXTENSION WORK NOT CHARGEABLE TO THE HATCH FUND.

[Extract from circular letter of the Director of the Office of Experiment Stations of Feb. 25, 1909.]

Expenses for extension work should not be charged against the Hatch fund, and * * * only such printing should be done with that fund as will record the experimental work of the stations established under the Hatch Act. * * *

ACCOUNTING AND USES OF THE ADAMS FUND.

[Extract from circular letter of the Secretary of Agriculture of Mar. 20, 1906.]

Under the terms of the act it will be necessary that a separate account of the Adams fund shall be kept at each station, which should be open at all times to the inspection of the Director of the Office of Experiment Stations or his accredited representative. * * *

The Adams fund is "to be applied only to paying the necessary expenses of conducting original researches or experiments bearing directly on the agricultural industry of the United States." It is for the "more complete endowment and maintenance" of the experiment stations, presupposing the provision of a working plant and administrative officers. Accordingly, expenses for administration, care of buildings and grounds, insurance, office furniture and fittings, general maintenance of the station farm and animals, verification and demonstration experiments, compilations, farmers' institute work, traveling, except as is immediately connected with original researches in progress under this act, and other general expenses for the maintenance of the experiment stations, are not to be charged to this fund. The act makes no provision for printing or for the distribution of publications, which should be charged to other funds. * * *

CLASSIFICATION OF ACCOUNTS.

In accordance with the requirement that the Secretary of Agriculture shall prescribe the form of the annual financial statement required under the Hatch and Adams Acts, forms are issued by the Office of Experiment Stations which provide for the classification of station accounts under 18 ledger headings, as follows:

- (1) *Salaries*—administrative, technical, and clerical.
- (2) *Labor*, regular and temporary, in connection with experiments.
- (3) *Publications*, printing, illustration, envelopes for mailing, etc.
- (4) *Postage and stationery*, including means of communication, such as telephone, telegraph, and cable service; and stationery for office and record purposes, forms, index cards, etc.
- (5) *Freight and express*, including drayage or other charges for handling freight.
- (6) *Heat, light, water, and power*.
- (7) *Chemicals and laboratory supplies* for all departments of the station, not including apparatus of permanent character.
- (8) *Seeds, plants, and sundry supplies* not otherwise provided for, for various departments.
- (9) *Fertilizers*, including water for irrigation.
- (10) *Feeding stuffs* for work animals and those under experiment.
- (11) *Library*—books, periodicals, and binding, but not including equipment or general supplies.
- (12) *Tools, machinery, and appliances*, such as agricultural implements and machines, motors, mills, pumps, vehicles, harness, and small movable structures like animal cages, brooders, or shelters, including repairs to same.
- (13) *Furniture and fixtures* for offices and laboratories—desks, cases, typewriters, and office appliances.
- (14) *Scientific apparatus and specimens*, including mounted insects, fungi, etc.
- (15) *Live stock*, including purchase of animals of all kinds for work or experimental purposes, but not their feeding and care.
- (16) *Traveling expenses* in supervision of station work or in connection with it.
- (17) *Contingent expenses*, to be itemized in detail.
- (18) *Buildings and land*, including all expenses for labor and material for the erection, alteration, and repair of buildings, permanent structures built in place, purchase of permanent fixtures forming part of a building, purchase or rental of land (under Adams fund only), and improvements on land, such as roads, fences, drainage or water systems, etc.

COOPERATIVE EXTENSION WORK IN AGRICULTURE AND HOME ECONOMICS.

ACT OF 1914 PROVIDING FOR COOPERATIVE EXTENSION WORK.

[Smith-Lever Act.]

AN ACT To provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July second, eighteen hundred and sixty-two, and of acts supplementary thereto, and the United States Department of Agriculture.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to aid in diffusing among the people of the United States useful and practical information on subjects relating to agriculture and home economics, and to encourage the application of the same, there may be inaugurated in connection with the college or colleges in each State now receiving, or which may hereafter receive, the benefits of the act of Congress approved July second, eighteen hundred and sixty-two, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts" (Twelfth Statutes at Large, page five hundred and three), and of the act of Congress approved August thirtieth, eighteen hundred and ninety (Twenty-sixth Statutes at Large, page four hundred and seventeen and chapter eight hundred and forty-one), agricultural extension work which shall be carried on in cooperation with the United States Department of Agriculture: *Provided*, That in any State in which two or more such colleges have been or hereafter may be established the appropriations hereinafter made to such State shall be administered by such college or colleges as the legislature of such State may direct: *Provided further*, That, pending the inauguration and development of the cooperative extension work herein authorized, nothing in this act shall be construed to discontinue either the farm management work or the farmers' cooperative demonstration work as now conducted by the Bureau of Plant Industry of the Department of Agriculture.

SEC. 2. That cooperative agricultural extension work shall consist of the giving of instruction and practical demonstrations in agriculture and home economics to persons not attending or resident in said colleges in the several communities, and imparting to such persons information on said subjects through field demonstrations, publications, and otherwise; and this work shall be carried on in such manner as may be mutually agreed upon by the Secretary of Agriculture and the State agricultural college or colleges receiving the benefits of this act.

SEC. 3. That for the purpose of paying the expenses of said cooperative agricultural extension work and the necessary printing and distributing of information in connection with the same, there is permanently appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$480,000 for each year, \$10,000 of which shall be paid annually, in the manner hereinafter provided, to each State which shall by action of its legislature assent to the provisions of this act: *Provided*, That payment of such installments of the appropriation hereinbefore made as shall become due to any State

before the adjournment of the regular session of the legislature meeting next after the passage of this act may, in the absence of prior legislative assent, be made upon the assent of the governor thereof, duly certified to the Secretary of the Treasury: *Provided further*, That there is also appropriated an additional sum of \$600,000 for the fiscal year following that in which the foregoing appropriation first becomes available, and for each year thereafter for seven years a sum exceeding by \$500,000 the sum appropriated for each preceding year, and for each year thereafter there is permanently appropriated for each year the sum of \$4,100,000 in addition to the sum of \$480,000 hereinbefore provided: *Provided further*, That before the funds herein appropriated shall become available to any college for any fiscal year plans for the work to be carried on under this act shall be submitted by the proper officials of each college and approved by the Secretary of Agriculture. Such additional sums shall be used only for the purposes hereinbefore stated, and shall be allotted annually to each State by the Secretary of Agriculture and paid in the manner hereinbefore provided, in the proportion which the rural population of each State bears to the total rural population of all the States as determined by the next preceding Federal census: *Provided further*, That no payment out of the additional appropriations herein provided shall be made in any year to any State until an equal sum has been appropriated for that year by the legislature of such State, or provided by State, county, college, local authority, or individual contributions from within the State, for the maintenance of the cooperative agricultural extension work provided for in this act.

SEC. 4. That the sums hereby appropriated for extension work shall be paid in equal semiannual payments on the first day of January and July of each year by the Secretary of the Treasury upon the warrant of the Secretary of Agriculture, out of the Treasury of the United States, to the treasurer or other officer of the State duly authorized by the laws of the State to receive the same; and such officer shall be required to report to the Secretary of Agriculture, on or before the first day of September of each year, a detailed statement of the amount so received during the previous fiscal year, and of its disbursement, on forms prescribed by the Secretary of Agriculture.

SEC. 5. That if any portion of the moneys received by the designated officer of any State for the support and maintenance of cooperative agricultural extension work, as provided in this act, shall by any action or contingency be diminished or lost or be misapplied, it shall be replaced by said State to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to said State, and no portion of said moneys shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings, or the purchase or rental of land, or in college-course teaching, lectures in colleges, promoting agricultural trains, or any other purpose not specified in this act, and not more than five per centum of each annual appropriation shall be applied to the printing and distribution of publications. It shall be the duty of each of said colleges annually, on or before the first day of January, to make to the governor of the State in which it is located a full and detailed report of its operations in the direction of extension work as defined in this act, including a detailed statement of receipts and expenditures from all sources for this purpose, a copy of which report shall be sent to the Secretary of Agriculture and to the Secretary of the Treasury of the United States.

SEC. 6. That on or before the first day of July in each year after the passage of this act the Secretary of Agriculture shall ascertain and certify to the Secretary of the Treasury as to each State whether it is entitled to receive its share of the annual appropriation for cooperative agricultural extension work under this act, and the amount which it is entitled to receive. If the Secretary of

Agriculture shall withhold a certificate from any State of its appropriation, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the expiration of the Congress next succeeding a session of the legislature of any State from which a certificate has been withheld, in order that the State may, if it should so desire, appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury.

SEC. 7. That the Secretary of Agriculture shall make an annual report to Congress of the receipts, expenditures, and results of the cooperative agricultural extension work in all of the States receiving the benefits of this act, and also whether the appropriation of any State has been withheld, and if so, the reasons therefor.

SEC. 8. That Congress may at any time alter, amend, or repeal any or all of the provisions of this act.

Approved, May 8, 1914 (33 Stat. L., 372).

FRANKING PRIVILEGE.

PROVISION OF ACT MAKING APPROPRIATIONS FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE FISCAL YEAR ENDING JUNE 30, 1915.

All correspondence, bulletins, and reports for the furtherance of the purposes of the act approved May eighth, nineteen hundred and fourteen, entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July second, eighteen hundred and sixty-two, and the acts supplementary thereto, and the United States Department of Agriculture," may be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General, from time to time, may prescribe, by such college officer or other person connected with the extension department of such college as the Secretary of Agriculture may designate to the Postmaster General (38 Stat. L., 415, 438).

In a letter to the Secretary of Agriculture, dated April 28, 1915, the Postmaster General ruled that the above proviso "is regarded as permanent legislation."

ORDER (NO. 8547) OF THE POSTMASTER GENERAL REGARDING THE FRANKING PRIVILEGE UNDER THE SMITH-LEVER ACT.

[Approved Dec. 21, 1914.]

The Postal Laws and Regulations, edition of 1913, are amended by the addition of the following as section 504½:

504½. All correspondence, bulletins, and reports for the furtherance of the purpose of the act approved May 8, 1914 (see paragraph 2 of this section), entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and the acts supplementary thereto, and the United States Department of Agriculture," may be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General from time to time may prescribe, by such college officer or other person connected with the extension department of such college as the Secretary of Agriculture may designate to the Postmaster General. (Act of June 30, 1914.)

2. There may be inaugurated in connection with the college or colleges in each State now receiving, or which may hereafter receive, the benefits of the act of Congress approved July 2, 1862 * * * (12 Stat., 503), and the act of Congress approved August 30, 1890 (26 Stat., 417), agricultural extension work which shall be carried on in cooperation with the United States Department of Agriculture. * * * Cooperative agricultural extension work shall consist of the giving of instruction and practical demonstrations in agriculture and home economics to persons not attending or resident in said colleges in the several communities, and imparting to such persons information on said subjects through field demonstrations, publications, and otherwise. (Act of May 8, 1914.)

3. Upon designation of the Postmaster General by the Secretary of Agriculture of a college officer or other person connected with the extension department of a State agricultural college receiving the benefits of the act of July 2, 1862, and the acts supplementary thereto, by whom the correspondence, bulletins, and reports mentioned in paragraph 1 of this section are to be transmitted, the Third Assistant Postmaster General shall authorize the postmaster at the post office where the extension department of such college is located to accept from the officer or person so designated such correspondence, bulletins, and reports for free transmission in the mails.

4. In the upper left corner of the envelope or wrapper containing such correspondence, bulletins, or reports shall be printed over the words "Free—Cooperative Agricultural Extension Work—Acts of May 8 and June 30, 1914," the name of the agricultural college and the name of the post office at which the matter is to be accepted free, followed by the name and title of the college officer or person designated to transmit such matter, and in the upper right corner the words "Penalty for private use to avoid payment of postage, \$300." The designated college officer or person is not authorized to furnish such envelopes for use as return envelopes by individuals or concerns from whom replies are requested.

5. Only such correspondence, bulletins, and reports as are for the furtherance of the purposes of the act of May 8, 1914, set forth in paragraph 2 of this section, and are mailed at the authorized post office by the college officer or other person duly designated may be transmitted free under the provisions of this section. All such correspondence, etc., to be entitled to free transmission, must be conducted under the name of such designated college officer or person. Correspondence with autograph signature may be mailed sealed, but all other matter shall be presented unsealed.

6. When in doubt as to whether any particular matter presented for mailing under the provisions of this section is entitled to be transmitted free, the postmaster shall submit a sample to the Third Assistant Postmaster General, Division of Classification, and pending decision may dispatch the matter if the sender makes a deposit to cover the postage at the proper rate. The deposit will be refunded if the matter is held to be entitled to free transmission.

INSTRUCTIONS REGARDING THE USE OF PENALTY ENVELOPES OF THE UNITED STATES
DEPARTMENT OF AGRICULTURE BY COOPERATIVE EXTENSION EMPLOYEES.

[Approved by the Secretary of Agriculture May 3, 1916.]

The following instructions, relative to the use of the penalty envelopes of the United States Department of Agriculture, should be strictly observed by all persons engaged in extension work under appointment from the United States Department of Agriculture whether they receive all or any part of their salary from the department.

The use of penalty envelopes is restricted to "matters relating exclusively to the business of the Government," and they must, therefore, be used cautiously and in strict compliance with the law and the postal regulations, their unlawful use being an offense punishable by a maximum fine of \$300. The cooperative agents or employees of the United States Department of Agriculture, any part of whose salary is paid by that department, have the right to use the penalty envelope only on "matters relating exclusively to the business of the Government of the United States" for which appointment from the United States Department of Agriculture is made.

The fact that the agent who receives a part of his salary from the department is also engaged in extension work under the general cooperative agreement with the State agricultural college does not give him the right to use the department penalty envelope for all extension business. His use of such envelope must be confined to those extension enterprises which are covered by the terms of his commission from the department and the projects in which the department funds are used.

In using the official penalty envelope, post card, or tag the following instructions should be observed:

1. *In official correspondence with the United States Department of Agriculture.*—All correspondence addressed to the United States Department of Agriculture pertaining to the work for which the employee receives his Federal appointment may be conducted in penalty envelopes. All such letters should be inclosed in envelopes addressed to the office through which the Federal appointment was made. Such letters must relate entirely to the official public business covered by the appointment which may include the sending in of reports, requests for information, requests for bulletins and supplies and other material needed in the work, and responses to inquiries made by officials of the department.

2. *Correspondence with supervising agents, leaders or directors within the State, and with other field employees holding appointments from the United States Department of Agriculture and engaged in similar work.*—All such correspondence must relate entirely to the official business for which the employee was appointed by the United States Department of Agriculture in order to entitle it to transmission in penalty envelopes.

3. *Correspondence with farmers and other persons.*—Penalty envelopes may be used to transmit through the mails letters of instruction to farmers engaged in carrying on demonstrations, notices of meetings to be held in furtherance of the work for which the agent received his Federal appointment, and of special demonstrations. All such correspondence should relate either to the giving of information to farmers or their families relative to demonstrations conducted under the supervision of the agent, and advice to farmers in answer to their inquiries, or of instruction to farmers and their families regarding some feature of agriculture or home economics taken up by the agent in furtherance of the work for which he was employed by the department.

They may be used to call the attention of the farmers to such farmers' meetings as are held in furtherance of the work for which the agent was employed, but shall not be used to send out notices of meetings of organizations of farmers and business men or indiscriminate announcements of farmers' meetings. In no case should penalty envelopes be used for the purpose of relieving organizations from paying postage on matter issued by the organization and which is therefore properly chargeable with postage.

4. Penalty envelopes must not be used in transacting such private business as sending for catalogues, price lists, seeds, implements, fertilizers, etc., for farmers or groups of farmers, nor in seeking markets for products of individual farmers

or groups of farmers, nor in mailing catalogues, announcements, or price lists of State, county, or other fairs.

5. An addressed return penalty envelope or post card may be sent out to farmers and other persons from whom information is desired, provided such information is to be used strictly in furtherance of the work for which the agent received his Federal appointment. Such use of the penalty envelopes should be made with great caution for fear of the abuse of the privilege by uninstructed individuals. County agents should not send out circular letters of inquiry in penalty envelopes unless they are instructed to do so by their State leader, who should send to the department copies of all such letters which he has approved. Penalty envelopes and tags should never be furnished to farmers or others to be used in sending any commodity through the mails.

6. In all correspondence mailed in penalty envelopes agents should use either department letterheads or letterheads approved by the department which clearly indicate the participation of the United States Department of Agriculture in the cooperative work undertaken by the agent. The form recommended by the States Relation Service is as follows; and may be adapted to meet the needs of each State and county:

Cooperative Extension Work
in
Agriculture and Home Economics,
State of [Massachusetts].

State Agricultural College,
U. S. Department of Agriculture
(other State or county organization)
cooperating.

Extension Service,
County Agent Work.

[Springfield, Mass.]

In this letterhead slight changes if approved by the department may be made in the printed matter, but no change can be made in the general form of heading, and no one of the cooperating parties should be given more prominence than others, and the order indicated must be observed.

Do not use private letterheads or letterheads containing any advertising matter. Letterheads of the agricultural college which do not show the cooperation of the United States Department of Agriculture in the work and which have not been approved by the department should not be used.

7. No private matter whatever should be included in any letter sent in penalty envelopes; the entire letter should relate exclusively to the business of the United States for which the employee received his Federal appointment. Agents should not use official letterheads or envelopes for personal correspondence even though postage is affixed. Letters or circulars sent in penalty envelopes must not be signed by any person except the authorized agent of the United States Department of Agriculture, who must affix his official title and headquarters.

8. *Printed matter.*—Penalty envelopes of the United States Department of Agriculture may be used by agents in distributing bulletins and circulars published by the United States Department of Agriculture which they are authorized to distribute. Bulletins and circulars published by any agricultural college or experiment station may be sent in United States Department of Agriculture penalty envelopes only in cases where such publications contain valuable information on agriculture or home economics which the agent of the department desires to furnish to particular persons who have made inquiry of him for such information or to persons with whom the agent is conducting some demonstration or other special work. Such bulletins or circulars so sent should be accompanied by a letter signed by the agent, with his official title.

Penalty envelopes must not be used for general distribution of bulletins and circulars of the colleges or stations or other organizations. Where miscellaneous requests for bulletins of colleges or stations or other public institutions are received by agents in their official capacity, such requests may be forwarded in a penalty envelope to the proper authority for attention.

Newspapers, clippings, magazines, and other printed matter which contain articles about the work of the agents may be transmitted to the supervising agents of the department in penalty envelopes, but should be accompanied by a letter of transmittal clearly showing that the printed matter is sent in for the purpose of advising the officer to whom it is directed. No literature should be distributed in penalty envelopes commending products of particular firms or individuals.

9. No matter containing commercial, religious, or political announcements or advertisements should ever be sent in penalty envelopes, except in cases where a request is made by an official of the department that the agent send in such pamphlets or printed matter for official purposes.

10. No letters or printed matter soliciting funds for the support of any association or other organization should be sent in penalty envelopes.

11. All official circulars, bulletins, or reports issued by the agent which are to be mailed in penalty envelopes must have had the subject matter and form approved by the State director of extension. On the front page must be clearly shown the cooperation of the United States Department of Agriculture as set forth in the approved form for letterheads, also the name and official title of the agent. No publication of a county organization as such should be distributed in penalty envelopes. Correspondence with autograph signature may be mailed sealed from any post office, but all other matter should be presented unsealed and only at the post office designated for that purpose.

For all other business and in all cases of doubt, do not use penalty envelopes, but pay the postage. Resolve all questions of doubt against the right to use such envelopes or submit for decision particular cases to the head of the office through which the Federal appointment was made.

FUNDS AVAILABLE TO THE STATES UNDER THE SMITH-LEVER ACT.

The following table shows the maximum amounts of money which the several States are eligible to receive from the Federal Government under the Smith-Lever Act as calculated on the proportion which the rural population of each State bears to the total rural population of the United States according to the census of 1910:

[For the fiscal year 1919-20 Congress appropriated for cooperative extension work \$1,500,000 in addition to the amount regularly accruing under the Smith-Lever Act, to be allotted, paid, and expended in the same manner and upon the same terms and conditions as provided under the Smith-Lever Act.]

Maximum amounts of Federal funds which each State is eligible to receive under the Smith-Lever Act for cooperative agricultural extension work.¹

State.	Rural population, census 1910.	Proportion of total rural population, census 1910.	Fiscal year 1914-15.	Fiscal year 1915-16.	Fiscal year 1916-17.	Fiscal year 1917-18.	Fiscal years 1918-19, 1919-20. ² Add the following amounts to those of the year immediately preceding.
		<i>Per cent.</i>					
Alabama.....	1,767,662	3.5819696	\$10,000	\$31,491.82	\$49,401.67	\$67,311.52	\$17,909.85
Arizona.....	141,094	.2859112	10,000	11,715.47	13,145.03	14,574.59	1,429.56
Arkansas.....	1,371,768	2.7797346	10,000	26,678.41	40,577.08	54,475.75	13,898.67
California.....	907,810	1.8395756	10,000	21,037.45	30,235.33	39,433.21	9,197.88
Colorado.....	394,184	.7987699	10,000	14,792.62	18,786.47	22,780.32	3,993.85
Connecticut.....	114,917	.2328665	10,000	11,397.20	12,561.53	13,725.86	1,164.33
Delaware.....	105,237	.2132510	10,000	11,279.51	12,345.76	13,412.01	1,066.25
Florida.....	533,539	1.0811572	10,000	16,486.94	21,892.73	27,298.52	5,405.79
Georgia.....	2,070,471	4.1955782	10,000	35,173.47	56,151.36	77,129.25	20,977.89
Idaho.....	255,696	.5181394	10,000	13,108.84	15,699.54	18,290.24	2,590.70
Illinois.....	2,161,662	4.3803666	10,000	36,282.20	58,184.03	80,085.86	21,901.83
Indiana.....	1,557,041	3.1551697	10,000	28,931.02	44,706.87	60,482.72	15,775.85
Iowa.....	1,544,717	3.1301965	10,000	28,781.18	44,432.16	60,083.14	15,650.98
Kansas.....	1,197,159	2.4259090	10,000	24,555.45	36,685.00	48,814.55	12,129.55
Kentucky.....	1,734,463	3.5146956	10,000	31,088.17	48,661.65	66,235.13	17,573.48
Louisiana.....	1,159,872	2.3503511	10,000	24,102.11	35,853.87	47,605.63	11,751.76
Maine.....	360,928	.7313803	10,000	14,388.28	18,045.18	21,702.08	3,656.90
Maryland.....	637,154	1.2911214	10,000	17,746.73	24,202.34	30,657.95	6,455.61
Massachusetts....	241,049	.4884589	10,000	12,930.75	15,373.04	17,815.33	2,442.29
Michigan.....	1,483,129	3.0053953	10,000	28,032.37	43,059.35	58,086.33	15,026.98
Minnesota.....	1,225,414	2.4831646	10,000	24,898.99	37,314.81	49,730.63	12,415.82
Mississippi.....	1,589,803	3.2215582	10,000	29,329.35	45,437.14	61,544.93	16,107.79
Missouri.....	1,894,518	3.8390291	10,000	33,034.17	52,229.32	71,424.47	19,195.15
Montana.....	242,633	.4916687	10,000	12,950.01	15,408.35	17,866.69	2,458.34
Nebraska.....	881,362	1.7859817	10,000	20,715.89	29,645.80	38,575.71	8,929.91
Nevada.....	68,508	.1388238	10,000	10,832.94	11,527.06	12,221.18	694.12
New Hampshire..	175,473	.3555764	10,000	12,133.46	13,911.34	15,689.22	1,777.88
New Jersey.....	629,957	1.2765375	10,000	17,659.22	24,041.91	30,424.60	6,382.69
New Mexico.....	280,730	.5688682	10,000	13,413.20	16,257.54	19,101.88	2,844.34
New York.....	1,928,120	3.9071198	10,000	33,442.72	52,978.32	72,513.92	19,535.60
North Carolina...	1,887,813	3.8254422	10,000	32,952.65	52,079.86	71,207.07	19,127.21
North Dakota....	513,820	1.0411988	10,000	16,247.19	21,453.18	26,659.17	5,205.99
Ohio.....	2,101,978	4.2594237	10,000	35,556.54	56,853.66	78,150.78	21,297.12
Oklahoma.....	1,337,000	2.7092812	10,000	26,255.69	39,802.10	53,348.51	13,546.41
Oregon.....	365,705	.7410603	10,000	14,446.36	18,151.66	21,856.96	3,705.30
Pennsylvania.....	3,034,442	6.1489578	10,000	46,893.75	77,638.54	108,383.33	30,744.79
Rhode Island. ...	17,956	.0363858	10,000	10,218.31	10,400.24	10,582.17	181.93
South Carolina. .	1,290,568	2.6151919	10,000	25,691.15	38,767.11	51,843.07	13,075.96
South Dakota....	507,215	1.0278145	10,000	16,166.89	21,305.96	26,445.03	5,139.07
Tennessee.....	1,743,744	3.5335025	10,000	31,201.01	48,868.52	66,536.03	17,667.51
Texas.....	2,958,438	5.9949442	10,000	45,969.67	75,944.39	105,919.11	29,974.72
Utah.....	200,417	.4061227	10,000	12,436.74	14,467.35	16,497.96	2,030.61
Vermont.....	187,013	.3789609	10,000	12,273.77	14,168.57	16,063.37	1,894.80
Virginia.....	1,585,083	3.2119937	10,000	29,271.96	45,331.93	61,391.90	16,059.97
Washington.....	536,460	1.0870763	10,000	16,522.46	21,957.84	27,393.22	5,435.38
West Virginia....	992,877	2.0119543	10,000	22,071.73	32,131.50	42,191.27	10,059.77
Wisconsin.....	1,329,540	2.6941643	10,000	26,164.99	39,635.81	53,106.63	13,470.82
Wyoming.....	102,744	.2081992	10,000	11,249.20	12,290.20	13,331.20	1,041.00
Total.....	49,348,883	99.9999999	480,000	1,080,000.00	1,580,000.00	2,080,000.00	500,000.00

¹ Each State must duplicate all Federal money above \$10,000 per year.

² After 1920 the allotments are to be based on the returns for rural population of the Fourteenth Census.

INSTRUCTIONS FOR EXTENSION ACCOUNTING.

[Approved by the Director of the States Relations Service Mar. 27, 1916.]

Accounts and vouchers for all funds used in extension work under the Smith-Lever Act should be regularly kept at the college in each State receiving the benefits of this act, even if the original accounts and vouchers are kept in the office of the State treasurer or other official. If the college keeps only duplicate vouchers, these should bear evidence of their payment by reference to the warrant or otherwise. Expenditures from both Federal and other funds which

are included in the account for any Federal fiscal year should be confined to those actually made in the maintenance of the extension service during that year. Separate accounts for expenditures of the Smith-Lever Federal fund and funds from within the State used to offset that fund should be kept in accordance with the provisions of the financial schedules prescribed by the Secretary of Agriculture, and should be supported by vouchers approved by the director of extension work.

From whatever source derived, funds which are used to offset Federal Smith-Lever funds will be subject to the same limitations as regards the character of the expenditures as the Federal Smith-Lever funds.

LOCAL ACCOUNTS.

Vouchers for expenditures from funds contributed to the State Smith-Lever funds by counties, local organizations, or individuals should be approved by the director of extension work, as well as by the county officer or other representative of the contributing parties, and be paid by the county or other local treasurer, who should file a certificate of payment with the director of extension work. Either the original vouchers or duplicates should be on file at the college.

VOUCHERS.

The classification in accordance with the headings prescribed by the department should be indicated on all vouchers or accompanying jackets. Every voucher should further indicate the fund from which the expenditure is made and the project or projects to which the expenditure relates.

SALARIES OR LABOR.

There should be a pay roll or an individual voucher which should indicate the period for which the salary charge is made, the annual rate of salary, general description of duties (grade or title), and should contain the personal signature of each individual paid and the indorsement of the director of extension work. Separate pay rolls and individual vouchers for labor and for salaries should be kept.

TRAVEL EXPENSES.

Vouchers for travel should give the purpose and dates for each trip and show an itemized account of all railroad and boat fares, livery, bus, and street car expenses, payments for subsistence, and miscellaneous items. The voucher should give reference to the authorization to travel and contain the personal signature of the individual paid and the indorsement of the director. There should be vouchers showing the purchase of mileage books and subvouchers showing how and when the mileage was used. Expenses for supplies and other material should not be included in travel accounts.

OTHER EXPENSES.

(Supplies and miscellaneous.)

There should be an itemized account of all supplies and miscellaneous articles purchased, and the vouchers should indicate when the goods were received and the date of payment, and should bear the signature of the payee and indorsement of the director. A detailed invoice should be filed whenever a voucher check is used.

ACCOUNTING, BY PROJECTS.

In the financial report a separate statement should be made for each project, and this should show the amounts spent from each fund used in the project.

All expenses of a person *regularly* carrying on a definite type of extension work are chargeable to the project covering that type of work and not to a project to which he may be temporarily assigned. The vouchers should be classified according to the projects as actually approved by the department.

Project—*General organization of extension work*.—This project indicates the general plan of organization and briefly outlines the projects which it is the intention to put in effect during the fiscal year and the amounts of money from each source devoted to the individual projects.

The expenditures for administration and for printing and distribution of publications should be kept separate in the accounts. "Administration" should include the salary and expenses of the director, editors, and other persons employed in the central office, but the salaries and expenses of State agents or State leaders of special lines of work and the clerical force exclusively employed in such work should be charged to the particular line of work in which they are engaged and not to administration. "Printing and distribution" will include the cost of envelopes, the salary of laborers, and other expenses connected with the mailing and distribution of the publications. Publications include all bulletins, reports, circulars, periodicals, etc., issued in furtherance of the Smith-Lever Act. Cost of gathering material, etc., for publications should be charged against the project to which the publication applies. The salary and expenses of the extension editor should be charged to "administration."

Project—*County agents*.—This should include all salaries and expenses of county agents and supervising officers.

Project—*Home economics or home demonstration work*.—Under this project should be included all expenditures for general extension work in home economics.

Project—*Movable schools and farmers' courses*.—Under this project should be included expenses for schools held in local communities, but it should not include the salaries, for example, of county agents or home economics demonstrators temporarily employed in such work. If specialists and other extension agents occasionally participate in movable schools, their salaries should be charged against the project to which they give the major portion of their time, but other expenses incident to participation in the movable schools are proper charges against this project.

Project—*Boys' club work*.—If this work is carried on through a separate State leader and district and county agents, there should be a separate account covering the expenses of such agents.

Project—*Girl's club work*.—If this work is carried on through a separate State leader and district and county agents, there should be a separate account covering the expenses of such agents.

Separate projects and accounts should be set up for each line of work requiring the time of at least one person.

CLASSIFICATION OF EXTENSION ACCOUNTS.

The scheme for classification of extension accounts, by items of expense, provides for 14 ledger headings, as follows:

- (1) *Salaries*, administrative, technical, and clerical.
- (2) *Labor*, regular and temporary, in connection with extension work.

- (3) *Printing and distribution of publications*, printing, illustration, envelopes, and personal services for mailing, etc.
- (4) *Stationery and small printing*, stationery for office and record purposes, forms, index cards, etc.
- (5) *Postage, telegraph, telephone, freight, and express*, including cartage, drayage, or other charges for handling freight.
- (6) *Heat, light, water, and power*.
- (7) *Supplies*, to include only consumable supplies of chemicals, glassware, small apparatus, and appliances.
- (8) *Library*—books, periodicals, and binding, but not including equipment or general supplies.
- (9) *Tools, machinery, and appliances*, such as agricultural implements and machines, canning outfits, trunks and cases for transporting exhibits, etc., motors, vehicles, harness, and small movable structures like animal cages, brooders, or shelters; including repairs to same.
- (10) *Furniture and fixtures* for offices and laboratories—desks, cases, typewriters, office appliances, and household equipment.
- (11) *Scientific apparatus and specimens*, including mounted insects, fungi, etc.
- (12) *Live stock*, including rental of animals of all kinds for extension work, but not their feeding and care.
- (13) *Traveling expenses* in connection with extension work.
- (14) *Contingent expenses*, to be itemized in detail.

The object has been to secure a clear and self-explanatory statement of extension expenditures, with as large a degree of uniformity as practicable. In the majority of cases the classification of individual entries is apparent, and no suggestion is needed. In the case of a considerable number of items, however, questions have arisen from time to time and considerable diversity of practice has been noted. The following list has accordingly been prepared to serve as a guide in this matter, and while in no sense complete it will often suggest the classification of other items not enumerated.

